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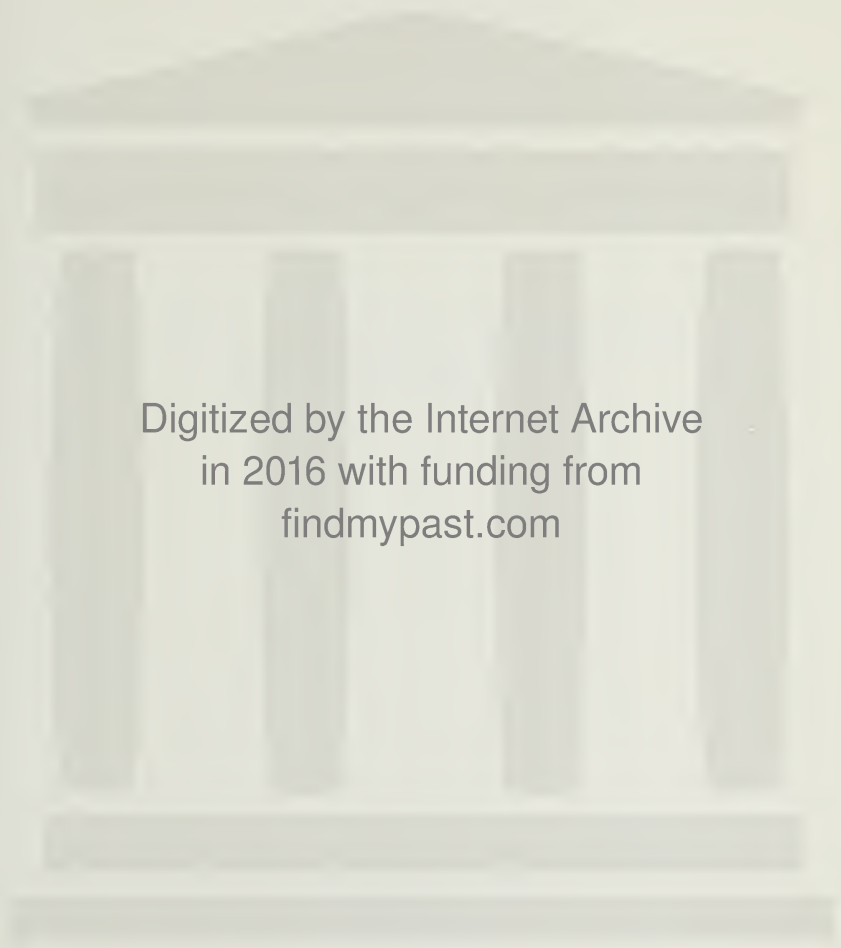
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THE
IOWA JOURNAL
OF
HISTORY AND POLITICS

BENJAMIN F. SHAMBAUGH
EDITOR

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TOWNSHIP SURVEYS IN THE IOWA COUNTRY

The American system of surveying public lands was born of necessity and developed in response to a growing need. During the Revolutionary period, each of the original thirteen Colonies had a land system of its own. In July, 1776, the Articles of Confederation were reported to Congress in the interest of unity and strength. In November, 1777, these Articles were adopted by Congress, and by May, 1779, all of the States had ratified them except Maryland, which refused its assent as long as the several States continued to hold the lands they claimed west of the Allegheny Mountains. Finally New York offered to cede its claim to such lands to the general government and when the other States indicated that they were willing to follow this example, Maryland ratified the Articles in 1781. Meanwhile public lands had been sold under various State systems, and no uniform system of surveying had been established.¹

In an attempt to solve the land problem, the Congress of the United States (under the Articles of Confederation) appointed a committee of five members, with Thomas Jefferson as chairman, to which it referred all questions pertaining to land surveys. On May 7, 1784, "An ordinance for ascertaining the mode of locating and disposing of lands in the western territory" was reported to Congress by the committee. This proposed ordinance provided that the land "be divided into hundreds of ten geographical miles square". It also provided that "every hundred shall be designated by the numbers in their order, from 1 to 100, beginning at the northwestern lot of the hundred, and ap-

¹ *The New International Encyclopaedia*, Vol. XXII, p. 746; Treat's *The National Land System 1785-1820*, pp. 1-14.

plying the numbers from 1 to 10, to the lots of the first row from west to east successively; those from 11 to 20, to the lots of the second row from west to east and so on". The "geographical mile" herein referred to is 6086.4 feet long, and a hundred or section under this proposed division would have contained 850.4 acres. Apparently Jefferson wished to apply the decimal system to land surveys. This ordinance, however, was not adopted.²

While Jefferson was in France, in April, 1785, a new ordinance was prepared and presented by William Grayson of Virginia. This proposed to divide the public land into townships seven miles square, by lines running due north and south and others crossing these at right angles. The plots of townships were to be subdivided into sections one mile square and numbered from one to forty-nine. The mile here referred to is the statute mile of 5280 feet. A section under this system of surveying would contain 640 acres.³

On May 3, 1785, a motion was made by William Grayson, and seconded by James Monroe, that section four of the proposed law be so amended as to reduce the size of the townships from "seven miles square" to "six miles square". This amendment did not, however, propose to change section eight of the law, which provided for numbering the sections of land from one to forty-nine. This amendment did not pass, however. On May 6th another amendment was offered in which an attempt was made to rewrite the various sections of the law and provide for townships six miles square and the numbering of the sec-

² *Journals of the Continental Congress*, Vol. XXVI, pp. 356, 363 note, Vol. XXVII, pp. 446, 447; *Instructions of the Commission of the General Land Office*, 1881, p. 5; Treat's *The National Land System 1785-1820*, pp. 20-37.

³ *Journals of the Continental Congress*, Vol. XXVIII, pp. 251, 252, 256 note, 298, 299, 302; *The General Land Office* (Service Monographs of the United States Government, No. 13), p. 7.

tions of land from one to thirty-six. This amendment, likewise, failed of passage.

A public land ordinance was finally passed in a corrected form on May 20, 1785, and provided for townships containing thirty-six sections. In the initial surveys, the numbering of sections began with Section No. 1 in the southeast corner of the township and ran from south to north in each tier of sections — Section No. 36 being located in the northwest corner of the township.

Townships surveyed for the purpose of locating land are designated as “congressional townships”, and are to be distinguished from “civil townships” which are governmental areas. Congressional townships and civil townships may be coterminous but they are not necessarily so.⁴

In contemplation of extensive surveys in what was then the great northwest, Congress in May, 1796, provided for the appointment of a Surveyor General and authorized a survey of the lands northwest of the Ohio River. Provision was also made at this time that “the sections shall be numbered respectively, beginning with the number one, in the northeast section, and proceeding west and east alternately, through the township with progressive numbers, till the thirty-six be completed”. This plan of numbering the sections is the one which is used today.

In 1800 a land office was established at Cincinnati, Ohio, but more than thirty years elapsed before surveys were made within the present boundaries of Iowa.⁵

⁴ *Instructions of the Commissioner of the General Land Office*, 1881, p. 5; *Journals of the Continental Congress*, Vol. XXVIII, pp. 327, 342, 343, 375–381; Horack's *The Government of Iowa* (1911), pp. 122, 123.

⁵ *United States Statutes at Large*, Vol. I, pp. 464, 466, Vol. II, p. 73; *Instructions of the Commissioner of the General Land Office*, 1881, p. 5. The General Land Office was established in 1812, with a Commissioner of the General Land Office in charge. It was in the Treasury Department until 1849 when it was transferred to the newly created Department of the Interior. — Stewart's *Public Land Surveys*, pp. 29, 31.

Before any area became public land, the Indian title had to be extinguished. Indian land cessions in the Iowa country constituted an interesting phase of history, covering a period of more than fifty years. As early as the summer of 1824 ten chiefs of the Sac and Fox tribes, accompanied by Indian agents and interpreters, journeyed to Washington, and relinquished their claim to all the land they possessed in the State of Missouri. The triangular area lying between the Des Moines and Mississippi rivers, south of the parallel marking the northern boundary of Missouri, an area of approximately 119,000 acres located in what is now Lee County, Iowa, was reserved for the use of the "half-breeds" of the Sac and Fox nations. This came to be widely known as the Half-Breed Tract.

At the close of the Black Hawk War in 1832 the Black Hawk Purchase was acquired by the United States. This included an area fifty miles wide extending from the Neutral Ground to the Missouri boundary, with the exception of the Keokuk Reserve of four hundred square miles along the Iowa River in Louisa County. This Reserve was acquired by the United States in 1836. A year later, in 1837, a tract of 1,250,000 acres lying immediately west of the Black Hawk Purchase was obtained. This was frequently referred to as the "Second Purchase".

In 1842 the Sac and Fox tribes, wavering before the tide of white immigration, ceded to the United States all the remaining lands held by them in the Iowa country. They were to leave the central and south central part of the present State of Iowa by May 1, 1843, about one-third of the area of the State, and were to remove across the Missouri River by 1845. The Winnebago Indians had moved from Wisconsin into the Neutral Strip in 1840, but in 1846 they relinquished their rights to this area. The final acquisition of Indian lands was obtained in 1851 when the Sioux Indi-

ans relinquished their rights to the lands lying north and west of the Neutral Strip.⁶

As soon as government lands were acquired in the Iowa country the problem of making proper government surveys became an important factor. Soon after the Black Hawk Purchase was acquired, the authority of the land office at Cincinnati, Ohio, was extended over this region. "The first rectangular surveys in Iowa", it is said, "were made by Jenifer T. Sprigg in 1832" as a part of the survey of the Half-Breed Tract near the present site of Montrose in Lee County. Sprigg is credited with having set the point from which William A. Burt, noted surveyor and inventor of the solar compass, started the official survey of Iowa in 1836. Burt's instructions were "to extend with care" one of the range lines of the Missouri survey which would constitute a meridian from which to survey.⁷

In the making of surveys, meridians and base lines are fundamental. The initial point from which all public land surveys in Iowa are made is the intersection of the Fifth Principal Meridian and the Base Line. This Fifth Principal Meridian is the line which runs directly north from the old mouth of the St. Francis River in Arkansas, passing through eastern Iowa along the eastern boundaries of Jones and Cedar counties. The Base Line used in the Iowa surveys, 34° 44' 00" north latitude, crosses the central portion of Arkansas east and west, just south of the city of Little

⁶ *The Acquisition of Iowa Lands from the Indians in the Annals of Iowa* (Third Series), Vol. VII, pp. 283-285.

⁷ Paper presented by Lowell O. Stewart, Ames, Iowa, at Surveyors Conference, March, 1935; Van der Zee's *The Half-Breed Tract* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XIII, pp. 162, 163; *Senate Documents*, 1st Session, 23rd Congress, Vol. VIII (Serial No. 245), p. 760, and Vol. IX (Serial No. 246), pp. 219, 220; Stewart's *Public Land Surveys*, p. 95; *Original Field Notes of William Austin Burt of the Survey of the Fifth Principal (now in) Iowa, November, 1836* in the *Annals of Iowa* (Third Series), Vol. XX, pp. 83-122.

Rock. These intersecting lines served as the reference lines for the most extensive territory in the United States. The southern part of Iowa is approximately 390 miles north of the Base Line. Accordingly, townships in Iowa are numbered from 65 north, at the southern point of Lee County, to 100 north, on the northern boundary of the State. Since the Fifth Principal Meridian passes through eastern Iowa, lands are designated by east or west ranges. Thus eastern Clinton County is in Range VII east of the Principal Meridian, while the western part of Plymouth County lies in Range XLIX west.⁸

On July 4, 1836, the Territory of Wisconsin was organized, with boundaries including the Iowa country,⁹ and in August, 1836, contracts were made with three experienced deputy surveyors "for the survey of the exterior township lines in the whole of the Sac and Fox cession, west of the Mississippi river." The following year, Samuel Williams, Chief Clerk in the Surveyor General's office at Cincinnati, reported that the surveys of the township lines were completed with the exception of a few townships south of the Des Moines River. The whole cession, excepting the fractional townships adjoining the Indian boundary line was under contract for subdivision into sections, and twenty-four deputy surveyors were engaged in this work. About forty townships had already been subdivided, and Mr. Williams expressed the hope that the survey of this land might be finished by the 15th of February, 1838.¹⁰

⁸ Treat's *The National Land System 1785-1820*, pp. 188-190.

⁹ Two civil townships were established west of the Mississippi River in 1834 under a law of Michigan Territory. These had, of course, no connection with the congressional township used in the surveys.—*Laws of the Territory of Michigan*, Vol. III, pp. 1326, 1327.

¹⁰ *Senate Documents*, 2nd Session, 25th Congress, Vol. I (Serial No. 314), Document No. 11, pp. 42, 43. For a copy of the map published in connection with the report see page 9 of this article.

The progress and cost of the survey in the "Wisconsin Territory, west of the Mississippi river" as reported by Mr. Williams in 1837 were as follows: township lines, 2857 miles, at \$3.50 per mile — \$10,000; subdivisions, 14,300 miles (220 townships) at \$2.75 per mile — \$39,325.

The Surveyor General was directed not to advance the surveys any more rapidly than good judgment and the demand for land might dictate. In this connection Mr. Williams reported that "judging from the present state of the land market and the great decrease in the amount of sales, the surveys now in progress and those about to be commenced . . . will abundantly supply the demand, without the addition of any *new* surveys in the ensuing year." Accordingly, no new surveys were planned for the year 1838.¹¹

On June 12, 1838, the Territory of Wisconsin was divided and that part lying west of the Mississippi River was designated as the Territory of Iowa. On the same day on which this new Territory was created, two land offices were established west of the river. One of these was located at Dubuque and the other at Burlington. B. R. Petrekin was appointed Register of the Dubuque office and Augustus Caesar Dodge was made Register of the Burlington office.¹²

From 1836 to 1838 Warner Lewis served as Surveyor General for the Wisconsin-Iowa district, and in 1838 Albert G. Ellis was appointed to this office. During these years, however, much of the surveying of township lines was conducted from the Cincinnati office. On October 12, 1838, Surveyor General E. S. Haines, reporting from Cincinnati to James Whitcomb, Commissioner of the General

¹¹ *Reports from the Surveyors General of the Public Land*, June 8, 1837, in *Senate Documents*, 2nd Session, 25th Congress, Vol. I (Serial No. 314), Document No. 11, pp. 40-44.

¹² Shambaugh's *Documentary Materials Relating to the History of Iowa*, Vol. I, pp. 102-116; *United States Statutes at Large*, Vol. V, pp. 235, 243; Gue's *History of Iowa*, Vol. III, pp. 441, 442.

Land Office in Washington, D. C., relative to the work under his direction, said:

Iowa Territory has been the principal field of our operations, both in the field and in the office, during this year. And I have now the pleasure to inform you that the subdivision into sections of all the townships in that Territory, amounting to two hundred and fifty-two, authorized by you to be surveyed, has been completed, and the field notes thereof, excepting five townships, received, and these are looked for every day. A few miles in one of the districts require correction, which the surveyor is now doing, and a few miles of meanders of the Mississippi river, and islands therein had to be left on account of high water. A surveyor is now closing the public surveys on the boundary lines of the towns of Burlington, Bellevue, Dubuque, and Peru, the field notes of which, with the meanders and corrections above mentioned, are expected within ten days.¹³

Mr. Haines also reported that since July 25, 1838, the entire force of his office, with three extra clerks, had been employed almost exclusively in completing the township maps and descriptive notes of the townships and in closing up the work pertaining to the Territories of Iowa and Wisconsin. A report of the work, he added, was being sent to Surveyor General Albert G. Ellis.

Between 1841 and 1845 James Wilson served as Surveyor General of Wisconsin and Iowa, with an office at Dubuque. Under date of November 1, 1843, Mr. Wilson made a report of progress to Thomas H. Blake, Commissioner of the General Land Office, but no diagram of surveys at that time appears in the records. Mr. Wilson said, however, that the surveys contracted for in April, 1843, had been completed and field notes made. Mr. Wilson also urged very strongly the advancement of surveys. "The interest of the United

¹³ Gue's *History of Iowa*, Vol. III, pp. 441, 442; Report of Surveyor General E. S. Haines, October 12, 1838, in *Senate Documents*, 3rd Session, 25th Congress, Vol. I (Serial No. 338), Document No. 17, p. 46. A map presented in connection with this report shows the surveys.

States, and of the settlers upon public lands", he said, "would be subserved by having the lands surveyed and brought into market at as early a day as practicable."

"The country recently ceded to the United States by the Sac and Fox Indians" (by the treaty of 1842), he continued, "is a beautiful country, and a heavy tide of population is rapidly rolling upon it, for the purpose of *bona fide* settlement. Intelligence, industry, and enterprise, are the characteristics of that population. It is very desirable to the enterprising settler to have the land surveyed and brought into market, that he may purchase and secure the title to his improvements as soon as may be after he has made his location." Mr. Wilson estimated that \$34,000 should be appropriated to carry on the surveys until June 30, 1845.¹⁴

From 1843 to 1845, a temporary Indian boundary line extended north and south through Iowa from the southern boundary to the Neutral Strip, following approximately the line dividing Ranges XIX and XX. The present sites of Marshalltown, Newton, and Oskaloosa were within the territory which had been surrendered by the Indians, while the sites of Mason City, Iowa Falls, Des Moines, and Chariton were within the lands still occupied by the Indians.

During the years 1840, 1841, and again in 1845 and 1846, George W. Jones served as Surveyor General for Wisconsin and Iowa. Reporting from the Dubuque office in October, 1845, Mr. Jones said that all the lands east of the temporary Indian boundary had been divided into townships or were under contract for survey. By stipulation of the treaty of 1842, the land west of this division line was to have been vacated by the Sac and Fox Indians by October 11, 1845. Accordingly, Mr. Jones recommended that imme-

¹⁴ Report of Surveyor General, November 1, 1843, in *Senate Documents*, 1st Session, 28th Congress, Vol. II (Serial No. 432), Document No. 15, pp. 58-62.

diate steps be taken to survey the land west of the boundary line and west of the surveys already made.

Mr. Jones said that he had been led to believe that this portion of the Sac and Fox cession "greatly surpasses that part included in the recent surveys. The superior quality of its soil, the great abundance of water, the more equal distribution of prairie and timber, and its proximity to the navigation of the Des Moines River, he said, would all contribute to the rapidity with which this land would be settled. The absence of surveys, however, prevented "anything like prosperous or permanent improvement", until the settler could be assured of the actual location of his claim.¹⁵

In October, 1846, Mr. Jones again made a report in which he urged the necessity of additional appropriations to carry the surveys forward. He said:

The cost of executing a survey is not to be compared with the cost of performing any other species of work. The surveyor's provisions and equipage are always to be transported over a trackless country; his supplies are to be carried a great distance, and his assistants are always to be employed at exorbitant wages. If overtaken by accident, such as the snows and frosts of winter, or the sickness of summer, a pecuniary loss is the unavoidable consequence. The present rate of compensation affords no indemnity in case of accident or unexpected difficulty, and is even insufficient when all the circumstances that attend the surveyor are favorable.¹⁶

The report submitted by Surveyor General Jones in October, 1847, indicates that advances had been made very slowly during the previous years. At the date of this report surveys had been completed only as far westward as Range XXVI, a few miles west of the site of Des Moines.

¹⁵ Report of George W. Jones, October 18, 1845, in *Senate Documents*, 1st Session, 29th Congress, Vol. III (Serial No. 472), Document No. 16, p. 56. A map presented in connection with this report indicates the extent of surveys completed in 1845. See also Gue's *History of Iowa*, Vol. III, p. 441.

¹⁶ Report of George W. Jones, October 18, 1846, in *Executive Documents*, 2nd Session, 29th Congress, Vol. II (Serial No. 498), Document No. 9, p. 68.

Mr. Jones mentioned the fact that extension of surveying contracts had been repeatedly asked because of the fact that water was scarce or that it was so impure as to imperil the health of surveyors. He noted, too, that in Wisconsin, surveying had been very much delayed because of spring floods.

In this report Mr. Jones recommended that the territory ceded by the Winnebago Indians to the United States on October 13, 1846 — the Neutral Ground¹⁷ — be surveyed during the ensuing year. Commenting upon the value of this area he said:

No portion of my district is understood to be more abundantly watered, or to afford equal facilities for hydraulic machinery. To a rich soil, and beautiful surface, it adds the more rare advantage of a very equal distribution of prairie and timber. Easy of access to immigrants, by means of the navigation of the Mississippi, and bordered on the south by large settlements, are facts which render certain the immediate occupancy of those lands by settlers. Indeed, it is confidently believed that no part of Iowa has been as rapidly covered by settlements as will be this newly purchased district; nor has any brought into the treasury as large or rapid returns as this promises to do.

In this report Mr. Jones also made recommendation that the First Correction Line be extended to the Missouri River. "This survey", he said, "will discover the general character of the country, as well as the extent and facilities for settlement throughout the entire region west of the present surveys of that State; information that will be of great service to this office in its future operations."¹⁸

Reporting from the Dubuque office in October, 1849, C. H. Booth, then Surveyor General for the Iowa and Wis-

¹⁷ The Neutral Ground had been first ceded to the United States by the Sioux and the Sac and Fox Indians in 1830.

¹⁸ Report of George W. Jones, October 18, 1847, in *Senate Documents*, 1st Session, 30th Congress, Vol. II (Serial No. 504), Document No. 2, pp. 82-86.

consin district, said that contracts had been let for "the subdivision of such townships in the so-called Neutral Ground as were reported to be actually settling". He also reported that all contracts for surveys in the fall of 1848 had been greatly delayed "in consequence of an unusual prevalence and depth of snow and severe cold, which continued from November to March inclusive". The snow, he said, for five months averaged two feet in depth, and the high water caused by the melting of this snow was prolonged by an exceedingly rainy spring. Because of the severity of the weather some contracts dated December were not put into operation until May. In other instances contractors worked in the midst of snow. In some cases every member of the party was "severely frozen, and all suffered extremely from the difficult travelling and excessive cold."¹⁹

Ira Cook, one of the early deputy surveyors of Iowa, has told of some of his experiences in the field. In the following paragraphs he indicates something of the difficulties and hardships as well as the more pleasant experiences of the early surveyors.

Except immediately along the Mississippi and in a few localities on some of the larger streams, these surveys preceded the settlement of the country, so that the deputy surveyor who had a contract to survey a given district generally found himself beyond any settlement, and, as a consequence, must carry with him his house (tent) and his supplies of provisions and complete outfit for a trip extending, in some cases, over many months. It followed, of course, that he was obliged to restrict himself and his men to the simplest necessities of food and clothing. A barrel or two of salt pork, flour in barrels, navy beans, with sugar, coffee, salt and pepper, made up the sum of our larder. For bedding we had rubber blankets, buffalo robes and heavy woolen blankets. With these we could keep both warm and dry.

¹⁹ Report of Surveyor General C. H. Booth, October 18, 1849, in *Senate Documents*, 1st Session, 31st Congress, Vol. II (Serial No. 550), pp. 232-243.

A surveying party would consist of either six or eleven men, depending upon whether it was intended to use one or two instruments. First, the surveyor, then two chainmen and an axeman or mound-builder, made up the field party; a cook and teamster completed the party. This would allow us one extra man in case of sickness of any of the party, or we could use him as a flagman when needed. . . .

Our work was hard, our days long; in winter or summer we were at work in the morning as soon as we could see, worked as long as we could see at night, and then tramped to camp by moonlight or starlight, often for many miles. We lived on bread, salt pork, beans and coffee. Occasionally we would vary it by the capture of wild game. On this trip I remember one of the boys shot a deer, and once we found a "bee-tree" containing several gallons of honey; and once, with the aid of a big dog, a jack staff and a convenient snow bank, we captured a two hundred and fifty pound wild hog. Incidents of this kind helped not only our larder, but also broke the monotony of our lives.²⁰

In the summer of 1849, James M. Marsh, a deputy surveyor, and a party of six helpers were surveying the Second Correction Line to the Missouri River. While they were working in Range XXX, a short distance west of the Des Moines River, they encountered a band of eleven Sioux Indians. The Indians at first appeared friendly, but their real design doubtless was to ascertain the strength of the party and whether they were armed. Presently the Indians left and Marsh proceeded with his line. He had advanced but a short distance, however, when he heard the report of guns, and saw the Indians running and firing as they ran.

The Indians ordered the surveyors to stop work, unharness their horses, and go into camp. Resistance was out of the question. After entering camp, Marsh explained to the chief the character of the survey and that it was being directed by the United States government. The Indians stayed over night in the surveyor's tent, ate supper and

²⁰ *Annals of Iowa* (Third Series), Vol. II, pp. 603-606.

breakfast there, and received gifts of provisions and clothing. The chief seemed friendly, but left soon after breakfast. No sooner had he gone than the other Indians assumed an air of insolence, "appropriating to their own use everything upon which they could lay their hands", not excepting the tent in which they had slept. After taking the best blankets and other articles which they could find, they left. That night they returned and openly stole the horses — nine in all — and were sitting upon them near the camp the next morning. The loss resulting from this incident was estimated at fifteen hundred dollars.

C. H. Booth, the Surveyor General, in his annual report on October 18, 1849, said that since Mr. Marsh "entered into this contract without the remotest probability of difficulty with the Indians, and that serious misfortune was wholly without provocation on his part, I am persuaded that Congress will feel it a pleasure to indemnify him". It was not until 1852, however, that Marsh was awarded \$1200 in compensation for his loss on this occasion.

At the time that Surveyor General Booth made his report in 1849 surveys had been completed as far westward as Range XXXIV or almost to the present site of Atlantic. Correction lines had been surveyed to the Missouri River, a few townships along the Missouri River had been surveyed, and surveys in the Neutral Ground were almost complete.²¹

The report for 1850 shows that surveys made under appropriations ending in June of that year included the running of township lines over an area including 2,280,000 acres in Iowa, and a subdivision of the townships into sections over an area of 2,672,000 acres — the total cost being \$26,710. The surveys adjoining the southern boundary of

²¹ Report of Surveyor General C. H. Booth, October 18, 1849, in *Senate Documents*, 1st Session, 31st Congress, Vol. II (Serial No. 550), pp. 232-243. *United States Statutes at Large*, Vol. X, p. 55.

the State, those needed to bring into market a tract eighteen miles in width and one hundred and twenty in length, adjoining the Missouri River, and a limited number of townships in the northeast corner of the State were deemed to be "pressingly necessary".

Commenting upon the work to be done, Surveyor General Booth said that the season was too far advanced to contract for surveys in parts of the district where "monuments" (to mark township or section corners) were to be made exclusively of earth. Such monuments, he explained, if properly made at a season of the year when the ground was free from frost were "very durable". The sod, which was very thick and tough, could be so cut and laid that the grass would continue to grow; while the indentations caused by the removal of the sod, and a considerable quantity of earth from beneath it, formed an additional and perhaps more lasting evidence of the corner.

"But during the presence of frost", he declared, "the labor of excavation is tenfold greater, while the mound and pit are proportionably less durable". At such times, the sod was necessarily so mutilated as to destroy the grass roots, and when the mounds thawed out they flattened, and the pits tended to fill up. Accordingly, the Surveyor General declared, there were but six months in the year — from April to November — when sod monuments could properly be made. In the timbered portions of the district, however, in the absence of deep snow, surveys might be made as well in winter as in summer. The low temperature and short days were objectionable, but the absence of foliage and the ice-bridged waters were advantageous.²²

In 1851 George B. Sargent became Surveyor General of the Wisconsin-Iowa area with an office at Dubuque. The

²² Report of Surveyor General C. H. Booth, November 11, 1850, in *Executive Documents*, 2d Session, 31st Congress, Vol. III (Serial No. 597), Document No. 9, pp. 42, 47, 48.

season was wet and surveys were somewhat delayed. Yet under the direction of the new Surveyor General considerable progress was made. Contracts were let for the survey into township lines of that portion of the State between the line dividing Ranges XXXIV and XXXV on the east, and the Missouri River on the west. The men engaged in running the township lines in the district north of the First Correction Line "had a most serious time". The Boyer, Little Sioux, and Soldier rivers "at all times difficult to cross" were at that time reported as "perfectly impassible". Notwithstanding these difficulties progress was made and at least two-thirds of the district was surveyed.

In the area south of the First Correction Line the surveyors met with less difficulty, and they were well impressed with conditions they found there. In his report the Surveyor General said: "In this portion of the State, the soil is unsurpassed in the world for richness and fertility, and the only drawback is the deficiency of timber." Many of the townships were at that time being settled and incoming settlers were rapidly increasing in number. The area along the Missouri River was "almost entirely claimed by actual settlers", and "several respectable towns and villages" had grown up. Among those mentioned were Trader's Point, Coonsville, Indiantown, Kaneshville, and Carterville. Twenty-three sawmills and gristmills were reported as operating, "some of them very fine and worked by steam". In a single township — Township 75 Range XLIV west, at the present site of Council Bluffs — a population of "at least four thousand souls" was reported.²³

When the next annual report was made in October, 1852,

²³ Report of J. Butterfield, Commissioner of the General Land Office, November 26, 1851, in *Senate Documents*, 1st Session, 32nd Congress, Vol. III (Serial No. 613), Document No. 1, pp. 13-15; Report of Surveyor General George B. Sargent, October 24, 1851, in *Senate Documents*, 1st Session, 32nd Congress, Vol. III (Serial No. 613), Document No. 1, pp. 72-74.

all surveys between the Base Line and the Second Correction Line were either completed or contracts for their completion were pending. Contracts were also let for surveys in thirty-two townships north of the Second Correction Line, which included all of the country that could be surveyed until definite instructions were received in regard to the proper boundaries of the Indian territory. Thus all surveys south of Sioux City were either completed or were under contract, and only those in the northwestern part of the State remained to be done.²⁴

In 1853 Warner Lewis, who from 1836 to 1838 had been Surveyor General of the Wisconsin-Iowa district, was again placed in office. As the township surveys were nearing completion no extensive program was carried forward during the early fifties. In 1855, however, Surveyor General Lewis reported that the amount of field work undertaken was "fully adequate to satisfy all the demands of settlement" and the progress made was "very satisfactory". South of the Second Correction Line — dividing Townships 88 and 89 — all surveys, except in ten townships where the work was then in progress, were entirely completed, including the connections of township and subdivisional lines with the southern boundary of the State. North of the Second Correction Line from the Mississippi River on the east to a line between Ranges XXXIII and XXXIV on the west, the surveys were almost complete. West of the line dividing Ranges XXXVIII and XXXIX, fifty-nine townships were surveyed, and deputies were at work in eighty-eight townships, all situated south of the line dividing Townships 97 and 98.²⁵

²⁴ Report of Surveyor General George B. Sargent, October 21, 1852, in *Senate Documents*, 2nd Session, 32nd Congress, Vol. I (Serial No. 658), Document No. 1, p. 125.

²⁵ Report of Surveyor General Warner Lewis, October 21, 1855, in *House Documents*, 1st Session, 34th Congress, Vol. I, Pt. I (Serial No. 840), p. 196.

As the work of making township surveys was nearing completion advances were made slowly, and the final work was not done until 1858. In his annual report in 1857 Surveyor General Lewis said that the unusually high water and a backward spring had prevented a completion of township lines, and that the deputies working on the subdivision lines had been peculiarly unfortunate in their operations. Marauding bands of Indians had stolen cattle and destroyed provisions belonging to some of them. As a result of these conditions, returns were made for only fourteen townships in the State, amounting in all to nine hundred and eighteen miles of subdivision and meandered lines.²⁶

During the following year three hundred miles of township lines were run and more than a thousand and seven hundred miles of subdivision lines were completed. Mr. Lewis in reporting on October 10, 1858, said that the township lines run during that year "complete all surveys of this character in the State." Thus it appears that the township surveys in Iowa continued over a period of twenty-six years — from 1832 to 1858. During these years the Indians were gradually receding, the surveyors were advancing, and the emigrants and pioneers were moving steadily westward and northwestward until the extreme borders of the State were reached.²⁷

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THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY IOWA

²⁶ Report of Surveyor General Warner Lewis, October 12, 1857, in *Senate Documents*, 1st Session, 35th Congress, Vol. II (Serial No. 919), pp. 137-139. The hostility of the Indians in the spring of 1857 was illustrated by the Spirit Lake Massacre.

²⁷ Report of Surveyor General Warner Lewis, October 10, 1858, in *Senate Documents*, 2d Session, 35th Congress, Vol. I (Serial No. 974), p. 188.

A STUDY OF THE PUBLIC LIBRARY MOVEMENT IN IOWA

Ever since writing was invented there have been collections of books. Printing multiplied the number of volumes, but it was not until the nineteenth century, when public education became general, that people began to dream of local public libraries offering books to all.

The founders of Iowa were well aware of the need for books and the Organic Act of the new Territory made an appropriation of \$5000 for the purchase of a library to be used by the Territorial officers.

Such libraries were not, of course, accessible to the citizens in general. Nor could the ordinary pioneer afford to buy any number of books. The Bible, McGuffey's readers, and an almanac furnished the reading in many homes. The Iowa settlers were, however, believers in education and they desired books for their own pleasure and for the use of their children. How were the needed books to be secured?

ASSOCIATION AND SUBSCRIPTION LIBRARIES

The early settlers in Iowa were interested in libraries. Indeed efforts were made to establish libraries before Iowa was established as a Territory or even named. The *Dubuque Visitor* for June 8, 1836, carried a notice that citizens favorable to the formation of a Library Association should

[This article is a revised and condensed form of a thesis entitled "A Study of the Public Library Movement in Iowa with Special Reference to Certain Outstanding and Typical Libraries", submitted by Letha Pearl McGuire to the Graduate School of the University of Illinois in 1929 in partial fulfillment of the requirement for the degree of Master of Arts in Library Science. Sections of the thesis on the history of four typical libraries (Sioux City, Des Moines, Davenport, and Webster City) have been omitted in this publication. — The Editor]

assemble at the Methodist meeting house on the tenth of June, at 4 P. M. The editor added this comment:

We respectfully invite the attention of the citizens of Du Buque, to an advertisement in this day's paper, calling a meeting for the purpose of forming a Library Association.—The importance of such institutions is so well known, that any remarks from us would seem superfluous. We cannot forbear mentioning, however, that similar associations are formed in almost every thriving town in our country; and their influence on the moral and intellectual character of the inhabitants, is universally acknowledged. When facilities exist for obtaining books, a taste for reading is imperceptibly acquired; and as virtue and knowledge are almost inseparably [sic] connected, it is generally found that persons enjoying the privileges of a library association, gradually become assimilated in habits of virtue and refinement of manners. We confidently believe that the citizens will cordially unite in building up the institution.

Whether this Library Association was formed or ever functioned the paper seems not to have reported. Probably there was too much interest in government and in business for the men to pay much attention to books.

As early as 1839, however, Iowa planted the library thought in her laws. At the first session of the Legislative Assembly of the Territory of Iowa, an act for "the incorporation of public Libraries" was enacted. The inhabitants of any city, town, village, or neighborhood, in the Territory were authorized to assemble for the purpose of holding a library election whenever the community had subscribed one hundred dollars for a public library. Money was to be obtained by selling shares. Having selected a chairman and clerk, the shareholders could proceed to elect seven directors, one of whom should be appointed president, and to agree upon the name of the library. The board of directors was given power to make by-laws for the regulation of the library and to levy a tax on the shareholders, not to exceed one dollar per share in any one year. A ma-

jority of two-thirds of the shareholders could, however, at the annual meeting, increase the annual tax to any amount not exceeding five dollars on each share in any one year. The directors were to appoint a treasurer and a librarian and might receive donations.¹

No library associations have been found for some fifteen years after the enactment of this law and the later laws and codes of Iowa disregard the subject — except as such associations came under the general incorporation laws — until after the Civil War when the public library movement began in earnest.

The “public Libraries” mentioned in this law were not tax-supported libraries, but association or subscription libraries, and a number of them were incorporated, either under this law or under the general incorporation act. A complete history of the private library associations in Iowa would require too much time and space, but sufficient material on this matter is available to illustrate how such libraries grew up and merged into the tax-supported libraries of today. Membership in these association or subscription libraries was secured by buying shares or, more generally, by paying annual dues which varied from one dollar to three dollars.

Fairfield.— The first library of this kind in Iowa seems to have been at Fairfield, where the Jefferson County Library was founded in 1853 as a subscription library with 527 books on the shelves. The library gradually increased in size and importance, shifting from one location to another, until 1893, when United States Senator James F. Wilson, who had shown great interest in the library, was instrumental in inducing Andrew Carnegie to donate \$40,000 for a library building. It was the first Carnegie li-

¹ *Laws of the Territory of Iowa, 1838-1839*, pp. 252-254.

brary erected west of Allegheny City, Pennsylvania, and was one of the few established without any conditions as to support by the community. Up to 1900 the library was supported by annual dues, fines, entertainments, and contributions, and each year it became more burdensome to those who felt responsible for its growth. In 1899 an election was held which resulted in making it a tax-supported public library, known as the Fairfield Free Public Library.²

Davenport.—The original Library Association of Davenport³ was formed in the early fifties, its early promoter and patron being General George B. Sargent, who brought with him his New England notions concerning the value of libraries. The association continued its work until the hard times of 1857-1858 forced it to suspend, the books being stored in the basement of Cook & Sargent's banking house. The library was reopened the next year through the efforts of F. H. Griggs. The organization had a precarious existence, the library being sometimes open and sometimes closed, occupying successively a room in Merwin's Block, Second and Perry, Griggs's Block, Third and Perry, Cutler's Block, Second and Brady, and the Methodist Church Building, Fifth and Brady. The library contained about 1000 volumes, one-third of which were public documents. For ten years preceding 1872 the library was in charge of

² Julia A. Robinson's *Iowa Library Facilities* (Reprinted from *Iowa Industrial Survey*), p. 1; *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 14, 89. Part II of this report is entitled *Free Public Libraries of Iowa. Historical Sketches*.

³ For an account of the early library work at Davenport see the *Davenport Daily Times*, June 20, 21, 1923; J. F. Dillon's *Address Delivered at the Dedication of the Free Public Library* (Davenport, May 11, 1904), pp. 23, 24, 25, 26, 48, 49, 55; *Davenport Democrat and Leader*, June 20, 1923; T. W. Koch's *A Book of Carnegie Libraries* (1917), pp. 172, 173; *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 81, 82; Mrs. J. J. Richardson's *The Davenport Free Public Library* in the *Iowa Library Quarterly*, Vol. I, p. 43.

an organization of young men known as the Associated Congress. Miss Sarah Allen was librarian.

In 1873-1874 the women of Davenport were invited to assume the management of the library and since that time it has functioned continuously. Credit has been given to Mrs. Maria Purdy Peck for the progress made following her election to the presidency of the group in 1872. In 1874 Mrs. Anna Price Dillon was president. Coöperating with others in 1877, Mrs. Dillon enlisted the interest of Mrs. Clarissa C. Cook, whose husband, the late Ebenezer Cook, some years before had made a conditional bequest of \$10,000 for a library building, the terms of which had not been carried out. The association obtained subscriptions which enabled it to purchase a lot, thus fulfilling the condition of the bequest, and on November 6, 1877, the cornerstone of a new library building was laid on the well-known site on Brady Street.

In 1899 Miss Alice French (Octave Thanet), a resident of Davenport and a personal friend of Andrew Carnegie, wrote to him and asked him to aid the association. Mr. Carnegie offered to give \$50,000 for a library building, provided the city would purchase a suitable site and agree to maintain a library at a cost of at least \$4000 per year. The offer was presented to the city council in January, 1900, and was unanimously accepted. At the municipal election in April the electors voted to establish a free public library and to authorize the city council to levy a tax for the purchase of a site for a free public library. A tax of one-fourth of a mill for five years was voted to pay for a library site and an additional tax of one-half mill was levied for maintenance. This provided an income of \$7,181.92, almost double the amount required. A board of trustees was then appointed and they selected a site near the business center of the city, costing \$19,200. The tax not being sufficient to

pay for the site, the city council promptly voted the balance from the city funds. When plans for a building were submitted it was found that \$50,000 was not sufficient to erect a building that would meet the growing needs of the city. A second appeal was made to Mr. Carnegie through Judge John F. Dillon of New York, a former resident of Davenport, and he generously offered to increase his gift to \$75,000 if the city would provide \$7500 for annual maintenance. The terms were readily accepted.

Iowa City.—In November, 1856, residents of Iowa City organized the Citizens' Library Association. The dues were \$2.00 per year and entitled the member to the use of the reading room. He might also extend this privilege for two weeks to a friend "temporarily in the city". In addition to the membership dues, the association sponsored lectures as a possible source of income, the lecturers for 1856-1857 including Horace Greeley and John G. Saxe. Financially this plan seems to have been a partial failure for the committee reported receipts of \$551.28 and expenditures of \$620.95, the deficit being made up by a few interested citizens. This association library seems later to have been abandoned and it was not until 1897 — forty years later — that the Iowa City Public Library began.⁴

Cedar Falls.—In 1859 the Cedar Valley Horticultural and Literary Association was incorporated at Cedar Falls. A committee was appointed to secure a library which reported that same year a collection of fifty volumes in addition to the *Annals of Congress*. In 1865 this organization merged with the Library Association of Cedar Falls. The library prospered until March, 1871, when it was completely

⁴ *Reports of the President and other Officers of the Citizens' Library Association (Iowa City), 1857; Biennial Report of the Iowa Library Commission, 1900-1903, pp. 99, 100.*

destroyed by fire, only the books in circulation escaping. Library subscribers having books were requested to return them to the postmaster. With this nucleus and a private library purchased for \$300 the library continued to function. New articles or incorporation were filed in August, 1871. After 1871 the library had a well supplied reading room and was well patronized. In 1877 the library trustees requested the city to vote upon the question of maintaining a free public library as provided by the laws of Iowa. The vote carried, and in 1878 the association turned over to the city 1301 books and the property of the subscription library. It was the third free tax-supported library established as provided by law, the first one being the Independence Free Public Library established in 1873 and the second the Osage Free Public Library established in 1875.⁵

Keokuk.—The Keokuk Library Association was incorporated in December, 1863, as a stock association, after two former attempts to provide a library had failed. Shares of stock sold for ten dollars; life membership was fifty dollars; annual dues two dollars; subscription fees three dollars. The library opened in 1864, with four life members, one hundred and eighty-one stockholders, and about 2500 volumes on the shelves. For a number of years the association received most of its income from entertainments given by the women of the city and from lecture courses. In 1879 a bequest of \$10,000 was left to the Keokuk Library Association by J. L. Rice. This formed the nucleus of a fund for the erection of a library building. An

⁵ Letter to the writer from Mary O. Stuart, Librarian of the Cedar Falls Public Library, dated May 7, 1929; *Biennial Report of the Iowa Library Commission*, 1900-1903, pp. 72, 97; Luella M. Wright's *The Cedar Falls Parlor Reading Circle* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXIV, p. 342; George D. Perkins's address, *Dedication Carnegie-Dayton Library, Cedar Falls, Iowa* (September 24, 1903); Wright's *The Mind and the Soil* in *The Palimpsest*, Vol. XVII, pp. 373-394.

art loan exhibition was given by the women and a large number of shares of stock, with privilege of free use of the library for ten years, were sold, a sufficient sum being realized to enable the Association to erect a building costing \$25,000, with a debt of \$5000. This was opened to the public in February, 1883, and was the first library in the State to have a home of its own. The library was on the second floor, the first floor being rented as office rooms. The association struggled along until 1892 when it was able to announce that all debts had been paid. In 1894 the citizens of Keokuk voted for a free tax-supported library and that same year the library was opened for the use of the public as the Keokuk Public Library. During its first year as a free public library, the users of the library increased from 383 to 2494, and the number of books issued from 8169 volumes to 52,333 volumes. The librarian was paid \$100 per year. These figures indicate the far greater usefulness of the free public library over that of the subscription library.⁶

Dubuque.—The foundation of what is now the Dubuque Public Library was laid in the early 1860's. The undertaking was on a small scale and was carried on by volunteer aid. After passing through various stages this library at last became a well arranged subscription library under the control of the Young Men's Library Association. It was supported partly by membership fees and entertainments but mainly through generous subscriptions from citizens of the town. An appeal was made to Mr. Carnegie in 1900 by Jacob Rich, the president of the Young Men's Library Association, and by United States Senator William B. Allison. Mr. Carnegie offered the city \$50,000 for a library building,

⁶ *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 103, 104; *Historical Sketch* (Keokuk, 1865); *Catalogue of Books Belonging to the Keokuk Library Association with a Historical Sketch* (Keokuk, 1866).

provided the city would fulfill certain conditions as to future support, and later increased his gift by \$10,000. The city voted favorably for the tax supported library, and the Young Men's Library Association donated to the city its library of about 14,000 volumes and property valued at about \$10,000. In 1902 the new library building was completed and was formally accepted by the city, and the Carnegie-Stout Library began its regular work as a free public library.⁷

Sioux City.—In February, 1865, a meeting of citizens of Sioux City⁸ was held for the purpose of forming a library association. A resolution was adopted to organize a body corporate for the purpose of establishing a public library to be known as the Sioux City Library Association, and persons were appointed to act as trustees of the organization of the contemplated corporation. The library association seems to have met with difficulty as no further mention of it was made until the following November. The *Sioux City Journal* of November 18, 1865, reported a meeting held and a board of trustees chosen who organized and appointed a librarian and corresponding secretary. The association, however, remained a myth until the organization of the Young Men's Literary Association.

There had come to Sioux City many young men, newly from college, young lawyers with little as yet to do in a professional way. This group formed themselves into a society for the practice of literary expression. Most of them had

⁷ *Biennial Report of the Iowa Library Commission*, 1900–1903, pp. 84, 85.

⁸ For the early history of the Sioux City Library see *Biennial Report of the Iowa Library Commission*, 1900–1903, p. 124; *Sioux City Daily Tribune*, December 11, 1915; *Sioux City Journal*, June 5, 1924; *Library Development* (Sioux City Public Library) in *The Fairmount Park Branch of the Public Library* (Sioux City), unpagcd; *The Sioux City Public Library* (Report for 1906, sketch of history and development), p. 15; *Library Journal*, Vol. LII, pp. 966–968; *Iowa Library Quarterly*, Vol. VI, pp. 109, 110, Vol. IX, pp. 71–74.

brought with them only a few books, and they found they did not have the reference volumes they needed. The *Journal* of May 21, 1868, reported that the Young Men's Literary Association was about to be organized and a library purchased for the benefit of its members, which was to be accessible at all times. On October 26, 1869, a meeting was held "to initiate a movement for the formation of a Young Men's Association". Another meeting was held on November second and a constitution and by-laws were adopted. The records state that its object was "to establish and maintain a library and reading room, to secure literary and scientific lectures, and in other ways to improve the literary tastes of its members".

Officers and directors were elected and the work of collecting a library was begun at once. Lecture courses were given and the proceeds, together with the membership fees, annual dues, and donations constituted the resources for the establishment of the library. A room was secured in the county auditor's office in the Hubbard Block, and the library was opened to the public on March 19, 1870, with 325 books on the shelves.

At the municipal election held in March, 1875, a proposal to organize a public library under the State law was voted upon and carried by a small majority. Two years later, on May 21, 1877, the city council passed an ordinance to establish and maintain a public library. The Young Men's Literary Association gave to the municipality of Sioux City its library of about six hundred well selected volumes, with certain conditions of maintenance which were fulfilled. The books were at first placed in the office of the city clerk, who had charge of their circulation.

The library was located in the Davis Block from 1877 to 1881, then after moving three times, was installed in a library building built by the city. In 1891 an organization

of citizens was incorporated as the Library and Building Association, which contracted to supply a building for the library containing space to be rented to the city for offices. The building was erected at the northwest corner of Sixth and Douglas Streets. It was completed at a cost of \$122,000 and was occupied in the summer of 1892. In 1899 the Library and Building Association transferred the building to the city.

Des Moines.—The plan for the establishment of a public library in Des Moines⁹ originated in 1866 in the mind of a young lawyer of the city, Hiram Y. Smith, who had taken his course of professional study in the Law School of Albany, New York, where he had access to the fine State Library. He returned to Des Moines imbued with a spirit of appreciation of library privileges and thoroughly convinced of their value to any community. Upon Mr. Smith's suggestion, Colonel Gordon A. Stewart, a prominent lawyer of the city, prepared a paper setting forth the plans and purposes of a proposed library movement. This paper was circulated to obtain the signatures of those willing to extend aid to the new enterprise. The first signature received was that of Colonel C. H. Gatch, who was associated with Colonel Stewart in the practice of law and later president of the library's board of trustees. The next signature was Mr. Smith's and following his, Colonel Stewart's. Within a few days 131 additional names were secured. The paper circulated read as follows:

We, the undersigned, agree to form ourselves into a corporation to be known as the "Young Men's Association of the City of Des

⁹ For details of the beginnings of the Des Moines Public Library, see Ella M. McLoney's *Historical Sketch of the Des Moines Public Library* (1893), pp. 3-16; *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 83, 84; Gentiliska Winterrowd's *Des Moines Libraries in Des Moines*, Vol. III, pp. 12-18 (October, 1918).

Moines," for the purpose of permanently establishing a reading room and library And we further agree to pay such sums for membership as may be determined upon by the Association, not to exceed four dollars per annum, thirty dollars for ten years, or fifty dollars for life.¹⁰

The first meeting was held on December 13th in the Methodist Church and was largely attended not only by those who had signed the agreement, but also by many who had not had an opportunity to sign, but who were interested in the movement. Four days later a second meeting was held. Articles of incorporation were adopted and the new body was named the "Des Moines Library Association". The payment of fifty dollars in cash, books, or other property purchased a life membership, twenty-five dollars a membership for ten years, fifteen dollars for five years, and four dollars for one year. Officers and six directors were to be elected annually. On January 16, 1867, the articles of incorporation were filed for record.

Rooms were rented over B. F. Allen's bank, in a brick building on the southeast corner of Court Avenue and Fourth Street. Some time was spent in collecting books donated and purchasing others and fitting the rooms for use. In August, 1867, C. A. Dudley, a young lawyer, was appointed librarian, and the library was opened to the public in September with about 2300 books on its shelves and with thirty newspapers and magazines in the reading room. Mr. Dudley held the position one year and then resigned. He was made a life member of the Association "in consideration and recognition of the valuable services rendered to the association" during his term as librarian.

The association struggled along for several years on an uncertain income received from the sale of membership tickets, the giving of entertainments and lecture courses,

¹⁰ McLoney's *Historical Sketch of the Des Moines Public Library* (1893), p. 4.

and occasional private subscriptions. In May, 1876, a number of public-spirited women of the city met with the directors to devise some plan by which new life might be infused into the library. After considering the situation the women of the city consented to take charge of the library for a period of five years. Their first efforts were directed toward canceling the indebtedness of the Library Association. Citizens responded generously to requests for aid and the debt was soon paid. The library was then removed to rooms in "Art Block" on Fourth Street near Court Avenue, owned by Conrad Youngerman, a place more conveniently arranged for library purposes.

From May, 1877, to May, 1878, the library was in charge of the Young Men's Christian Association, though still under the general supervision of the women interested. In May, 1878, the board of directors decided to apply to the city council for a library appropriation, and five hundred dollars for the use of the library was voted to be paid annually from the city fund. Even with the help from the city, the financial problem proved difficult. In May, 1882, at the regular annual meeting, the stockholders passed a resolution that the association should turn over to the city all its books and other property in trust upon condition that the city maintain a free library. In August the city council, by ordinance, accepted the trust and provided for the establishment, maintenance, and management of a city library. In October the association held a final meeting, confirming the proposition previously made to transfer the library to the city.

The Library Association had several different librarians during its lifetime, most of them serving but a short time. For a time the library was under the general charge of John Weldon, with the title of "manager", who planned and supervised various entertainments (including the op-

era, "Belshazzar") for the purpose of securing funds for the library association, the proceeds of which were shared equally between himself and the library.

Council Bluffs.—The first attempt to form a library in Council Bluffs was made by the Young Men's Library Association in 1866, with D. C. Bloomer as chairman. Several hundred books were collected all of which were destroyed by fire in 1867. In 1869 the High School Library Association was organized, later incorporated as the Public School Library. In 1873 the library combined with the Young Men's Christian Association. A room was donated free of rent, W. T. Robinson of the Young Men's Christian Association giving his services as librarian. This arrangement lasted for five years. In 1878 the Council Bluffs Library Association was formed. As there was some difficulty in collecting money, the women of the city were — as usual — called upon for help. They enlarged the subscription list, gave entertainments for the benefit of the library, increased the number of books and made the reading room attractive. The city council allowed fifteen dollars a month for rent and the use of a room was donated, the money allowed being used for the purchase of books. In 1881 the city voted to levy a tax for the support of the library and the library was thereupon turned over to the city, being opened as a free public library in 1882.¹¹

The income secured by these association and subscription libraries was uncertain. It was derived from the sale of shares and from annual dues, supplemented by funds raised by entertainments and lectures and by donations.

¹¹ For the story of the beginnings of the Council Bluffs Public Library see the *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 80, 81, and M. F. Davenport's *Historical Sketch of the Council Bluffs Free Public Library* (1893).

The subscription library at Burlington, established in 1868, sold 300 shares of stock at ten dollars each and required subscribers to pay three dollars per year for the privilege of drawing books from the library. James W. Grimes contributed \$5000. In 1885 the library was turned over to the city, Philip M. Crapo having secured the payment of the debt.¹²

The Ladies' Library Association of Cherokee charged a membership fee of five dollars and one dollar per year was charged to readers, not members of the Association.¹³ The membership fee in the Occidental Library Association of Mason City was five dollars and the annual dues three dollars.¹⁴ The Ladies' Library Association of Mount Pleasant charged a low fee for the privilege of taking out books, but the reading room was open to the public entirely free.¹⁵ The association library of Marshalltown sold book cards to stockholders for one dollar and fifty cents per year, and to others for two dollars and fifty cents.¹⁶ Shareholders in the Ottumwa Library Association paid an annual fee of three dollars, others four dollars. Dues were later reduced to two dollars and the library became free when the Tourist Club (made up of women) took charge of it in 1897, though it did not become a public library until 1900.¹⁷ For many years the Missouri Valley Library Association was supported by the sale of tickets and weekly book rentals.¹⁸

Most of the libraries were located in rooms rented or donated for the purpose. Some maintained reading rooms,

¹² *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 71.

¹³ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 77.

¹⁴ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 110.

¹⁵ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 112.

¹⁶ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 109.

¹⁷ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 119.

¹⁸ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 111.

others circulated books, and still others carried on both types of library activities. In some towns volunteers looked after the library; in others a member of the association was elected or appointed as librarian. No definite information can be found concerning the compensation received by those in charge of most of these libraries. In 1890 a person was appointed to care for the Algona library for three months and in return for this service received a yearly ticket.¹⁹ At Ottumwa the librarian's salary is said to have varied from one hundred dollars a year to nothing.²⁰ In some instances mention is made of the employment of a librarian, but the amount of compensation is not given.

As public interest in libraries increased and public funds became available the need for privately supported libraries decreased. Under the library law passed in 1872 five free public libraries were established in Iowa in the seventies and ten in the eighties. However, the association or subscription type of library predominated until about 1893. The *Iowa Official Register* for 1893 listed 15 free public libraries in the State supported by municipal tax and 16 subscription libraries. This was the first attempt to gather the library statistics of the State and the list was incomplete as many libraries did not report. The first report of the Iowa Library Commission published in 1903 listed 77 free public libraries while the *Iowa Official Register* for 1903 reported 32 association and subscription libraries. The greatest progress has been made in the establishment of free public libraries since 1900. In 1936, 196 free public libraries were reported. There were also a number of association and subscription libraries. Many of the free public libraries began as association or subscription libraries, and were later given to the town or city to form a nucleus

¹⁹ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 67.

²⁰ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 119.

for the new public library supported by taxation. From information available it seems that only one of these, the Young Men's Association Library of Lyons, retains the name of the founding society.²¹

PUBLIC LIBRARY LEGISLATION IN IOWA

Mention has already been made of the Iowa law of 1839 authorizing the incorporation of "public Libraries" which were really association or subscription libraries. The school law adopted in January, 1840, also made provision for a tax to be used for a school library. At that session also the Iowa legislature passed an act providing for the appointment of a librarian for the Territorial Library, Congress having made an appropriation in the Organic Act of 1838 creating the Territory of Iowa of \$5000 for a reference library to be used by the officials of the new Territory.²²

For thirty years after the enactment of these laws, libraries were not included among the subjects of legislation nor was the law of 1839 included in the *Code of 1850* or the *Revision of 1860*. It was not until 1870 that an act was passed by the Iowa General Assembly authorizing the city council of any city of the first or second class to establish a free public library and to levy an annual tax not exceeding one-half a mill on each dollar of taxable property in the city for the purpose of maintaining it, provided a suitable lot and building should first be donated to the city for a library.

²¹ *Ought Iowa to Have a Library Commission?* (Report of Special Committee of the Iowa Library Association, 1900), p. 6; *Biennial Report of the Iowa Library Commission, 1932-1934*, pp. 6, 7; Patterson's *American Educational Directory*, 1930, p. 799; data furnished by Julia A. Robinson, Secretary of the Iowa Library Commission, November 6, 1936.

²² *Laws of the Territory of Iowa, 1838-1839*, pp. 252-254, 1839-1840, Ch. 23, pp. 28, 29, Ch. 73, p. 103; Johnson Brigham's *A Library in the Making* (1913), p. 6. For a survey of Iowa library laws before 1892 see Charles Aldrich's *Iowa Library Legislation in the Library Journal*, Vol. XVII, pp. 163, 164.

The act authorized the city to receive such donations and the city council was to appoint trustees.²³

The Fourteenth General Assembly passed a new act in 1872 to provide for the establishment of free public libraries in cities and incorporated towns and repealed so much of the act passed in 1870 as conflicted with this act. Any city or incorporated town desiring to accept the benefits of this act had first to submit to a vote of the people at a municipal election the question "Shall the city or town council (as the case may be) accept the benefit of an act of the legislature for the creation and maintenance of a free public library?" If the vote was favorable the city council was authorized to appropriate money for the maintenance of the library, for the purchase of land, the erection of buildings or the hiring of buildings or suitable rooms, and for the salaries of employees, but the amount appropriated in any one year was not to exceed one mill on each dollar of assessed valuation. The city or town was authorized to accept gifts, donations, or bequests made for the purpose of establishing, maintaining, or improving the library.²⁴

A law passed in 1888 gave cities of the first class organized as such since January 1, 1885, which had accepted the benefits of the provisions of the act of 1872, power to levy a tax not exceeding three mills on the dollar to pay any indebtedness that might have been, or might be contracted for the purchase of lands, the erection of buildings for a public library, or the hiring of rooms or buildings for such purposes, or for compensation of employees. This law was, apparently, enacted for the benefit of Sioux City which became a city of the first class in 1886.²⁵

In 1894 the law concerning public libraries was amended

²³ *Laws of Iowa*, 1870, Ch. 45.

²⁴ *Laws of Iowa*, 1872 (General and Public Acts), Ch. 17.

²⁵ *Laws of Iowa*, 1888, Ch. 18.

to authorize the council or trustees to "assess levy and tax" instead of to "appropriate" for the support of the public library. In any city or town which already had a public library or might thereafter establish one, a board of library trustees of nine members was to be appointed by the mayor with the approval of the council. Three were to be appointed every two years, the term of office, after the first, being six years. These trustees were unpaid. They were given control of the public library and its funds, were authorized to appoint the librarian, to purchase books, and to make the necessary regulations concerning library administration, and they were required to submit a report annually to the city council. The library board also decided on the tax levy to be made, although this might not exceed one mill on the dollar, except that in cities of the first class which came under the special act of 1888, a higher tax (3 mills) might be imposed. The actual appropriation and tax levy was, however, made by the city council.²⁶

At this session, too, an act was passed, apparently for the benefit of Burlington, legalizing assessments of the library tax in any city of the first class incorporated under the general law and having a population in 1875 of not less than 19,000.²⁷ All cities of the first class were also authorized to levy and collect an additional tax of 3 mills on the dollar to pay the interest on indebtedness already incurred for the purchase of real estate or hereafter incurred or for the construction of a library building, and to create a sinking fund to retire such indebtedness.²⁸

The Twenty-sixth General Assembly revised this law to make the authority of the board of library trustees more

²⁶ *Laws of Iowa*, 1894, Chs. 41, 43. See also G. W. Wakefield's *Iowa Library Legislation* in the *Library Journal*, Vol. XIX, pp. 331-333.

²⁷ *Laws of Iowa*, 1894, Ch. 42.

²⁸ *Laws of Iowa*, 1894, Ch. 99. This act was slightly amended in 1896 by adding the word "annually".—*Laws of Iowa*, 1896, Ch. 5.

definite. In cities of the first class the tax levy for maintenance was limited to one mill on each dollar of taxable valuation while cities of the second class and towns were allowed to levy up to two mills for this purpose. Cities acting under Chapter 99 of the *Laws of 1894* were authorized to levy not to exceed three mills on the dollar to be used to pay for the site and building needed for the library. A special act authorized any city acting under a special charter to use a public park or public square as the site of a public library.²⁹

The *Code of 1897* contained a restatement of the law concerning public libraries with some change in meaning. In some way the section on the library tax levy was so stated that cities of the first class having a population of 25,000 or over were authorized to assess an annual tax of one mill for library maintenance purposes, cities of the second class and towns could levy two mills for this purpose, while special charter cities were allowed only one-half a mill. This apparently left cities of the first class with a population of less than 25,000 without any levy for maintenance. The maximum levy for building purposes was three mills in first class cities with a population of over 25,000, and one mill in special charter cities. Other municipalities were evidently not supposed to have buildings.³⁰

The following year the Twenty-seventh General Assembly amended the Code to give special charter cities a maximum levy of one mill for library maintenance.³¹

In 1900 the library tax provision was simplified by an amendment to Sec. 732 of the *Code of 1897*. All cities of the first class having a population of 25,000 or over might levy a tax of one mill for library maintenance. All other

²⁹ *Laws of Iowa*, 1896, Chs. 50, 51.

³⁰ *Code of 1897* Secs. 732, 894, 953, 1005(6).

³¹ *Laws of Iowa*, 1898, Ch. 28 (2).

cities and towns might levy as much as two mills for maintenance. The tax levy for library building purposes was limited to three mills in all cities and towns. City councils, including the councils of special charter cities, however, were authorized to cut the levy if they saw fit. Library trustees were authorized to make provision for the use of libraries by non-residents and to fix charges for such use.³²

The library tax law as set forth in Sec. 732 of the Code was again amended in 1902. This amendment fixed two mills as the maximum levy for public library maintenance in all cities and towns, including special charter cities. Another act approved at this session authorized library trustees in any city or town to condemn land for library purposes.³³

The 1902 restatement of the library tax law applied only to Sec. 732 of the *Code of 1897*. As amended this section conflicted with Sec. 894, and the General Assembly in 1904 changed Sec. 894 to make it conform to the previously amended Sec. 732. The Thirtieth General Assembly also authorized the council of any city, town, or special charter city where the mulct law was in force to appropriate not to exceed 20 per cent of the mulct tax for the benefit of the public library, including the purchase of books and furniture.³⁴

The Thirtieth General Assembly in 1904 also made provision for coöperation between municipalities and colleges and universities in the matter of library maintenance. Such agreements were not to provide for a contribution by the city or town of an amount greater than that allowed by law. The board of library trustees might elect a library trea-

³² *Laws of Iowa*, 1900, Chs. 20, 21, 22.

³³ *Laws of Iowa*, 1902, Chs. 35, 36, 50. For a summary of these laws see the *Supplement to the Code of Iowa, 1902*, Secs. 732, 732-a.

³⁴ *Laws of Iowa*, 1904, Chs. 25, 38.

surer, to whom the city treasurer was to pay over the library funds. Such joint undertakings as had already been undertaken were legalized.³⁵

A penal law passed in 1904 also declared that any person who wilfully, maliciously, or wantonly tore, defaced, mutilated, injured, or destroyed in part or whole public library books or property should be deemed guilty of a misdemeanor and fined not more than one hundred dollars, or imprisoned not more than thirty days.³⁶

The Thirty-first General Assembly made some important changes in the laws of the State concerning the rate of taxation for public libraries. An act was passed repealing Sec. 732 of the Code and Ch. 38 of the *Laws of Iowa*, 1904, and providing for an increase in the maximum tax levy for library maintenance in all cities and incorporated towns having a population of not more than six thousand, from two mills on the dollar to three mills. Other cities continued with a maximum two mill levy for maintenance. In all cities and towns a maximum of three mills could be levied for the purchase of real estate, the erection of buildings, and for indebtedness incurred in establishing a public library. The library trustees were also given control of any funds derived from gifts.³⁷

A law was passed by the Thirty-second General Assembly in 1907, applying to cities under the commission plan of government. It provided that the council of such a city should, at its first meeting, or as soon as practicable thereafter, elect by majority vote three library trustees. This law was amended in 1913 by the Thirty-fifth General Assembly and the number of library trustees was changed from three to five (except in cities which before had main-

³⁵ *Laws of Iowa*, 1904, Ch. 24.

³⁶ *Laws of Iowa*, 1904, Ch. 131.

³⁷ *Laws of Iowa*, 1906, Chs. 14, 21.

tained a library under a lease or contract fixing a different number of trustees) and the board of trustees was authorized to exercise all powers possessed by library boards in cities not organized under the commission plan of government. The five trustees were to be appointed by the mayor at the first meeting of the council, or as soon as practicable thereafter, for a term of five years.³⁸

The Thirty-third General Assembly amended the law concerning the levy of the tax for libraries by striking out the words giving the city council power to levy only so much of the tax certified to it by the library board as it "may deem necessary". The effect of this amendment was to require city councils to levy the tax requested by library boards up to the maximum limit.³⁹

Another act passed by the Thirty-fifth General Assembly in 1913 raised the maximum rate of taxation for library maintenance to five mills on the dollar in all cities and incorporated towns and allowed a maximum of three mills for the purchase of real estate, erection of library buildings, or for payment on indebtedness incurred in establishing a public library. The rate of taxation was to be fixed by the board of trustees and certified to the city council which should levy the tax.⁴⁰

Another enactment provided that when a library building was completed and paid for and a balance remained in the library building fund, the library trustees were authorized to transfer the balance to the maintenance fund, but the Assembly specifically provided that this law should not be interpreted to authorize a levy of a tax for building purposes after the library was erected with the intention of

³⁸ *Supplement to the Code of Iowa, 1907*, Sec. 1056-a28; *Supplement to the Code of Iowa, 1913*, Sec. 1056-a26a.

³⁹ *Laws of Iowa, 1909*, Ch. 46.

⁴⁰ *Laws of Iowa, 1913*, Ch. 68.

taking advantage of this act to increase the library income for maintenance purposes.⁴¹

The law relating to the number of library trustees was amended by the Thirty-sixth General Assembly and codified. The new law authorized a library board of five, seven, or nine, instead of nine as previously provided, the number to be fixed by an ordinance of the city council. The members were to be appointed by the mayor with the approval of the city council, and the term of office was made six years for all boards.⁴²

One of the important library laws passed in Iowa was that providing for the extension of free public library privileges to residents outside the corporate limits of the city or town in which the library was located. This law first enacted by the Thirty-first General Assembly in 1906, gave library trustees power to contract with the trustees of the township or the board of supervisors of the county in which the library was situated, or of adjacent townships or counties, or with the governing body of any neighboring town or city not having library facilities for the public, to loan the books of the library either singly or in groups, upon such terms as might be agreed upon in the contract. The law gave boards of supervisors authority to contract with the trustees of any free public library for the use of the library by people residing outside the corporate limits of the town or city in which the library was located, upon the same terms and conditions as those granted to the residents of the city or town, to pay the library an amount agreed upon and to levy a tax not exceeding one mill on the dollar of valuation of the county outside the corporate limits of cities and towns in the county. Township trustees were allowed to contract for the use of public libraries, and on petition

⁴¹ *Laws of Iowa*, 1913, Ch. 69.

⁴² *Supplemental Supplement to the Code of Iowa*, 1915, Sec. 728.

of the majority of the resident taxpayers in the township could levy a maximum tax of one mill. City or town councils contracting for the use of a public library by the people in a city or town not having a free public library could levy a maximum tax of one mill to pay for the use of a library.⁴³

An act passed in 1913 by the Thirty-fifth General Assembly amended the library extension law and broadened its scope, making it possible for any township, school corporation, adjacent city or town, or entire county, to become tributary to the city or town library. Provision was made for a maximum tax levy of one mill and for a contract on the part of any of these governmental units with the library. Such contracts were to be for a period of five years unless otherwise specified. Further provision was made that the making of such a contract with the library board and the levying of the tax should be mandatory on the part of the officers of the township, school corporation, city, or town, upon presentation of a petition signed by a majority of the resident taxpayers.⁴⁴

In 1921 the Thirty-ninth General Assembly passed an act amending the library extension law and making provision that contracts entered into by the board of library trustees and any school corporation, civil township, county, city, or town should provide for the rate of tax to be levied during the period of the contract, and such contracts should remain in force until terminated by a majority vote of the electors of such school corporation, civil township, county, city or town. As finally amended by the Fortieth General Assembly such contract by a county superseded all contracts between library trustees and townships or school corporations outside cities and towns.⁴⁵

⁴³ *Laws of Iowa*, 1906, Ch. 14.

⁴⁴ *Laws of Iowa*, 1913, Ch. 70.

⁴⁵ *Laws of Iowa*, 1921, Ch. 234; *Code of 1924*, Sec. 5859.

THE IOWA LIBRARY COMMISSION

A need was soon felt by the promoters of library work for a central bureau of library information, supervision, and encouragement of libraries. The Iowa Library Association, the Iowa Federation of Women's Clubs, the State Teachers Association, and other organizations did much to create a favorable sentiment toward securing legislation for a library commission. The club women of the State were especially interested and active in advancing the library cause. Through the library committee, which was established as one of the standing committees at the organization of the Iowa Federation of Women's Clubs, active work was begun toward securing such legislation as would establish a library commission.⁴⁶

At the seventh annual meeting of the Iowa Library Association, in 1896, the Honorable C. H. Gatch of Des Moines reported for the legislative committee that the appointment of a library commission had been presented in the preceding session of the legislature and had been favorably received, but the law had not been secured. At each subsequent meeting of the association this legislation was urged. That it was secured in 1900 was due largely to the efforts of Captain W. H. Johnston who served as president of the Iowa Library Association for four years, and Miss Ella M. McLoney who was secretary for eight years.⁴⁷

The Iowa Library Commission was created by an act of the legislature approved on March 20, 1900. The Commission was to consist of seven members, the State Librarian, the Superintendent of Public Instruction, and the President of the State University, and four members to be appointed by the Governor, at least two of whom were to be

⁴⁶ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 8; *The Register and Leader* (Des Moines), February 21, 1909.

⁴⁷ *Iowa Library Association* (1904), pp. 8, 9, 13. The Iowa Library Association was organized in 1890 as the Iowa Library Society.

women. The term of office was to be five years. Their duties were to give advice and counsel to all free libraries and to all public school libraries in the State and to all communities which proposed to establish libraries, as to the best means of administering them, the selection of books, cataloging, and other details of library management, and to send librarians to help organize new libraries or to suggest improvements in those already established. A biennial report was to be made to the Governor. The law provided that the Commission obtain reports from the free public libraries and public school libraries showing the condition, growth, development, and method of management, and furnish annually to the Secretary of State information for publication in the *Iowa Official Register*. The Library Commission was to employ a Secretary, not from its own members, who was to act under the Commission. No Commission member was to receive any salary, but expenses incurred in traveling for the library interests of the State were to be paid.⁴⁸

The Commission organized in July, 1900, with Johnson Brigham, State Librarian, as President. Miss Alice S. Tyler, formerly head of the catalog department of the Cleveland Public Library, was employed as Secretary, but activities did not begin until October first of that year. The purpose of creating the Commission was to promote the establishment and efficiency of free public libraries and public school libraries in the State. Iowa was the third State to establish such a commission in the Middle West, having been preceded by Wisconsin and Minnesota.⁴⁹

Among the members of the Library Commission who were appointed by the Governor were Mrs. Harriet C. Towner of Corning, Iowa, who served twenty-three contin-

⁴⁸ *Laws of Iowa*, 1900, Ch. 116.

⁴⁹ *Bulletin of the Iowa Library Commission*, Vol. I (1901), pp. 1, 2.

uous years on the Commission, resigning in 1923, because of the appointment of the Honorable Horace M. Towner to the governorship of Porto Rico and the removal of Mr. and Mrs. Towner to Porto Rico, and Captain W. H. Johnston of Fort Dodge, who remained a member until his death on June 6, 1911. Mr. Johnson Brigham was President of the Library Commission from its establishment until his death on October 8, 1936. Another worker who was identified with the library movement for many years was Mrs. Henry J. Howe of Marshalltown, who was a member of the Iowa Library Commission from 1904 until her death in 1926. She took a keen interest in library matters, and the work of the Library Commission profited much from her connection with it. Much of the success of the Commission and the advancement of the public libraries of the State are due to the efforts of these pioneers.⁵⁰

The library law was amended by the Twenty-ninth General Assembly in 1902 and the Library Commission was required to give advice and counsel to all free and other public libraries and to communities proposing to establish them. The Commission was allowed to print such lists and circulars of information as it considered necessary and as were approved by the Executive Council, to conduct a summer school of library training, to establish a clearing house for periodicals for free gifts to local libraries, and to perform

⁵⁰ *Iowa Library Quarterly*, Vol. IX (1923), p. 165. Vol. X (1926), p. 68; *Biennial Report of the Iowa Library Commission*, 1910-1912, p. 28. The following persons have served on the Iowa Library Commission by appointment of the Governor: Harriet C. (Mrs. H. M.) Towner, Corning, 1900-1923; Jessie Banning Waite Davidson, Burlington, 1900-1904; Witter H. Johnston, Fort Dodge, 1900-1911; Elizabeth S. (Mrs. D. W.) Norris, Grinnell, 1900-1913; Anna B. (Mrs. H. J.) Howe, Marshalltown, 1900-1926; Flora E. S. (Mrs. A. J.) Barkley, later Mrs. Wm. D. Southwick, Boone, 1912-1927; W. R. Orchard, Council Bluffs, 1913-1933; Martha McClure, Mt. Pleasant, 1926-1929; A. M. Deyoe, Des Moines, 1926-1933; Mrs. John Fox Lake, Shenandoah, 1927-1932; Mary (Mrs. D. S.) Humeston, Albia, 1929-date; Mrs. H. H. Tedford, Mount Ayr, 1932-date; Mrs. J. C. Pryor, Burlington, 1935-date; Arthur E. Thompson, Sioux City, 1933-date.

other public services which might seem to be for the best interests of the libraries in Iowa.⁵¹

The library legislation of the Twenty-ninth General Assembly also included an act providing for the transfer of the Traveling Library from the State Library Board to the Iowa Library Commission. The annual appropriation for both the Traveling Library and the Commission was increased from \$4000 to \$6000. Prior to the passing of this act the Traveling Library had an annual appropriation of \$2000 and the Library Commission had the same. Of the \$6000 not more than \$3500 was to be used for salaries and expenses of the Commission and the Secretary. The number of assistants and their salary and the salary of the Secretary were to be fixed by the Committee on Retrenchment and Reform.⁵²

In 1909 the Thirty-third General Assembly amended the law providing for an increase of the total appropriation for the work, making a total appropriation of \$11,000 annually for all the expenditures, including books for the Traveling Library. A limit of \$6000 was placed on salaries, which were to be fixed by the Legislative Committee on Retrenchment and Reform, upon recommendation of the Commission.⁵³ A readjustment in the appropriation increasing the salary fund to \$7600 was made by the Thirty-fifth General Assembly in 1913.⁵⁴ An amendment was enacted in 1915 by the Thirty-sixth General Assembly fixing the annual appropriation at \$15,000 of which \$9600 might be spent for salaries.⁵⁵ In 1921 the appropriation for activi-

⁵¹ *Laws of Iowa*, 1902, Ch. 173. The Executive Council now includes the following State officials — Governor, Secretary of State, Auditor, Treasurer, and Secretary of Agriculture.

⁵² *Laws of Iowa*, 1902, Ch. 173.

⁵³ *Laws of Iowa*, 1909, Ch. 190.

⁵⁴ *Laws of Iowa*, 1913, Ch. 259.

⁵⁵ *Laws of Iowa*, 1915, Ch. 206.

ties was placed at \$12,000, but a separate appropriation was made for salaries amounting to about \$14,000.⁵⁶ In 1925 and 1927, the budget carried \$14,100 annually for salaries and \$9250 per year for expenses.⁵⁷

The State appropriation for the Commission in 1931 was \$24,020 annually — \$14,820 for salaries and \$9200 for miscellaneous expenses and books. The Secretary's salary was fixed at \$2400 a year.⁵⁸ In 1933 the total was dropped to \$18,568, of which \$2112 was specifically allotted to the Secretary's salary, the remainder being a lump sum.⁵⁹ Two years later the appropriation was raised slightly — to \$19,500.⁶⁰

The activities of the Iowa Library Commission have developed as the demands of the work have required and as appropriations have permitted. The work includes supervision and extension, periodical exchange, collection of statistics, the work of publication, and the work of the traveling library system.⁶¹ In 1900 its task was, in a general way, to advance the library interests of the State by encouraging the organization and development of free public libraries and raising the standards of libraries already in existence.⁶² The Secretary gave encouragement, advice, and assistance to communities, by correspondence and by personal visits, in order to arouse interest for the establishment of a subscription library or the submission of a vote for a free public library. Every effort was made to encourage all cities in Iowa with a population of two thousand or

⁵⁶ *Laws of Iowa*, 1921, Chs. 235, 240(18).

⁵⁷ *Laws of Iowa*, 1925, Ch. 218(31), 1927, Ch. 275(28).

⁵⁸ *Laws of Iowa*, 1931, Ch. 257(28).

⁵⁹ *Laws of Iowa*, 1933, Ch. 188(28).

⁶⁰ *Laws of Iowa*, 1935, Ch. 126(25).

⁶¹ Julia A. Robinson's *The Iowa Library Commission in the Texas Libraries*, Vol. I (July, 1916), p. 23.

⁶² *Marshalltown Times-Republican*, February 4, 1909.

more to vote for a free public library. Assistance was given with regard to library building plans, furniture, equipment, book selection and the organization of the library according to modern methods. Addresses were given at teachers' meetings, women's clubs, and public meetings.

Soon after its organization, the Iowa Library Commission decided to give a six weeks' summer course in Library Training, the Regents of the State University having, through the University President, Dr. George E. MacLean, a member of the Library Commission, expressed their willingness to coöperate with the Commission in providing the instruction. Miss Tyler, Secretary of the Commission, who had had experience in library instruction in Ohio while on the staff of the Cleveland Public Library and had been trained at the Library School at Armour Institute was made Director of the School.⁶³

The first session was held in 1901 as a regular department of the Summer Session of the State University. The school was intended for the librarians of smaller libraries, for assistants in larger libraries, and for those definitely appointed to library positions in the State, who wished to prepare for their work. Opportunity to enroll was given for those who felt their lack of knowledge of modern library methods and who did not have the time or means to attend a regular library school. Students were received from other States if they met the admission requirements and if the limit of students had not been reached by Iowa applicants. The first year there were twenty-two students and the second year thirty-nine.⁶⁴ The Library School has been most successful, and during the early years of its existence was attended by the librarians and members of the staff of

⁶³ *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 23, 24.

⁶⁴ *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 24, 29, 30.

the majority of the Iowa public libraries.⁶⁵ It was conducted under the joint auspices of the Commission and the University until 1912, when it was discontinued on account of the increased pressure of the work of the Commission. In 1913 it was again held, this time under the auspices of the State University and it has been conducted by the University with the coöperation of the Commission since then.⁶⁶

The improvement in the training of librarians has been notable. In 1901 there were but three libraries in the State which employed trained library service. By 1909 there were twenty-four trained librarians in the State who had received training at one of the regular library schools giving extended courses, and almost one hundred librarians and assistants who had attended the Iowa Summer Library School. All over Iowa modern public libraries were being established in charge of trained and interested librarians, eager and active in extending the radius of the influence of their institutions and ready to help in every way to promote the interests of the community and the individual, and make the library an active factor in civic life.⁶⁷

From the first the Iowa Library Commission has served as a medium for the exchange of periodicals, either single numbers or complete volumes.⁶⁸ The purpose of the periodical exchange has been to build up the reference material of the small libraries. Libraries which have duplicate magazines, or which collect magazines in their localities may send these to the Iowa Library Commission. From this collection the Commission supplies libraries with volumes or parts of volumes needed to complete sets. There is no

⁶⁵ Alice S. Tyler, Secretary, Iowa Library Commission. (Clipping in office of Secretary. Source not given.)

⁶⁶ *Biennial Report of the Iowa Library Commission*, 1910-1912, p. 24, 1912-1914, pp. 17-19.

⁶⁷ *The Register and Leader* (Des Moines), February 21, 1909, p. 8.

⁶⁸ *Biennial Report of the Iowa Library Commission*, 1900-1903, p. 31.

cost to libraries except transportation on the periodicals obtained through the Commission. Only standard magazines are received, older numbers indexed in Poole's Index and later ones in the Reader's Guide, with a short supplementary list.

The most important publication issued by the Iowa Library Commission is the *Iowa Library Quarterly*. It is now sent to librarians of public, association, school, and college libraries and to board members of public libraries. The aim of the *Quarterly* is to give help through library news and articles on library matters.⁶⁹ The Library Commission has also issued many separate publications. Among these are pamphlets suggesting new methods and improvements in library work applicable to Iowa libraries. Special book lists have been issued on such subjects as Agriculture, Domestic Science, Shakespeare, and Art. Lists of books in the sets sent out by the Traveling Library have also been published.⁷⁰

One of the most important publications for which the Commission has had responsibility, is the *Check List of the Publications of the State of Iowa*, authorized by the Executive Council and prepared under the supervision of the Secretary of the Library Commission. A *List of Books by Iowa Authors* was issued by the Commission in 1904.⁷¹ Special reading lists have been provided for children in the grades and, in coöperation with the State Department of Public Instruction, a *Catalogue of Books for School Districts of Iowa* has been published.⁷²

Blanks for the collection of library statistics for publication in the *Iowa Official Register* are furnished free to li-

⁶⁹ *Biennial Report of the Iowa Library Commission, 1926-1928*, p. 11.

⁷⁰ *Biennial Report of the Iowa Library Commission, 1900-1903*, pp. 18, 19.

⁷¹ *Biennial Report of the Iowa Library Commission, 1903-1905*, p. 8.

⁷² *Biennial Report of the Iowa Library Commission, 1910-1912*, p. 19.

braries from the Library Commission office, as are blanks for keeping daily and monthly statistics to be compiled in the annual report, blanks for use in making the annual budget, and those used in certifying the tax levy.⁷³

In 1906, the Library Commission was also instrumental in securing a Supervising Librarian to organize and develop the libraries in the fourteen State institutions under the Board of Control of State Institutions. Miss Miriam E. Carey, Librarian at the Burlington Public Library for six years and trained at the University of Illinois Library School, was secured as Librarian. Iowa was the first State to undertake the systematic development of libraries in State institutions under a trained librarian. During this period the Library Commission gave considerable service through its periodical exchange, 1079 complete volumes and 2084 single numbers being sent out.⁷⁴

The first office of the Library Commission was in the State Capitol in the Law Library. In 1903, on account of the growth in work of the Commission and the need of shelving, three small rooms in the basement of the State House were assigned to the Commission. When the State Historical Building was planned the need of the Library Commission for adequate quarters was considered and the ground floor of the east wing was assigned to this department and when the building was completed in 1906 the Library Commission moved into its present quarters, the plans for which had been made by Miss Tyler. The offices include a large room for the shelving of books of the general collection, also serving as an office for the staff, the Secretary's office, a shipping room, and a stack-room.⁷⁵

⁷³ *Biennial Report of the Iowa Library Commission, 1926-1928*, p. 11.

⁷⁴ *Biennial Report of the Iowa Library Commission, 1905-1906*, pp. 9, 10, 14.

⁷⁵ Interview with Miss Julia A. Robinson. Secretary of the Iowa Library Commission, on January 4, 1929; *Biennial Report of the Iowa Library Commission, 1903-1905*, p. 8, 1905-1906, p. 12.

Miss Alice S. Tyler, who began her duties as Secretary of the Iowa Library Commission on October 1, 1900, brought to the work wide training and experience, and took up her task with enthusiasm. Having been a club woman for years, she entered into the spirit of coöperation manifested by the Federation of Women's Clubs and steadfastly coördinated the work of the Commission, especially the Traveling Library work, with that of the library committee of the Federation. A large part of her time was spent in traveling about the State, giving assistance to libraries and planning for new libraries. The designation of Director of Library Extension was early added to that of Secretary.⁷⁶

In June, 1913, Miss Tyler resigned her position as Secretary and Director of Library Extension, to become Director of the Library School of Western Reserve University at Cleveland, Ohio.⁷⁷ Her resignation took effect on September 1, 1913. When Miss Tyler entered upon her library service in Iowa there had been 41 free public libraries in the State and ninety centers to which Traveling Libraries were sent. At the time of her resignation there were 114 free public libraries and a large number of association libraries, and the number of Traveling Library stations was over 700. The number of library buildings had grown from five to eighty-four, the number of trained librarians had greatly increased, and library interests throughout the State had broadened.⁷⁸

At the Commission meeting in July, 1913, Miss Julia A. Robinson, for eighteen months Supervising Librarian of State Institutions, a native of Iowa, and a graduate of the

⁷⁶ *Marshalltown Times-Republican*, December 5, 1904; *Biennial Report of the Iowa Library Commission*, 1908-1910, p. 14.

⁷⁷ *Biennial Report of the Iowa Library Commission*, 1912-1914, p. 7.

⁷⁸ *Iowa Library Quarterly*, Vol. VII (1913), p. 28; *Biennial Report of the Iowa Library Commission*, 1912-1914, p. 7. The report of the Library Commission for 1900-1903 gives the number of libraries as forty-eight in 1900.

Wisconsin Library School, was selected as Miss Tyler's successor.⁷⁹ She entered upon the duties of the office on September 1, 1913, and is [1936] the present Secretary. Previous to her work as Librarian of the State Institutions in Iowa, Miss Robinson had served one year as Secretary of the Library Commission in North Dakota, and then because of her success as an organizer was employed by the new Library Commission of Kentucky to organize its work, while the elected secretaries of the respective States were given a year's leave to prepare for their work.⁸⁰ Miss Robinson has continued the general lines of work approved by the Commission, actively coöperating in all library movements in the State, giving aid in the organization of associations and in campaigns for a tax vote and in numerous matters involving the library interests of the State.

Twenty years after the creation of the Iowa Library Commission — in 1920 — the staff had grown considerably. It consisted of the Secretary and Director of Library Extension, an Organizer, a Cataloger, the Librarian of the Traveling Library, the Reference Librarian, a stenographic clerk, a stenographer, a record clerk, a general assistant or apprentice for the routine work of the office and two high school boys working half time each as shipping clerks. In 1936 the staff consisted of the Secretary, Librarian of the Traveling Library, Reference Librarian, Traveling Library Assistant, General Library Assistant, Record Clerk, two stenographers, and two shipping clerks.⁸¹

THE IOWA TRAVELING LIBRARY

One of the most important activities of the Iowa Library

⁷⁹ *Biennial Report of the Iowa Library Commission*, 1912-1914, pp. 7, 8.

⁸⁰ *Iowa Library Quarterly*, Vol. VII (1913), p. 37.

⁸¹ *Biennial Report of the Iowa Library Commission*, 1918-1922, pp. 22, 23; letter from Julia A. Robinson, dated October 23, 1936.

Commission has been the Iowa Traveling Library. The story of this library activity began, however, before the Library Commission was organized. Judge Horace M. Towner was the originator of the idea in Iowa, but much credit is also due the Iowa Federation of Women's Clubs for securing the passage of the bill establishing the Traveling Library. With the appointment of the library committee in the Iowa Federation of Women's Clubs library extension began in earnest. The club women saw great educational possibilities in this movement and it was work which they could do and from which they could see quick results. At the first meeting of the Federation held in Marshalltown in December, 1895, the feasibility of presenting a bill, asking for a system of traveling libraries in the State at the next session of the General Assembly was discussed. The women did not find sufficient information to warrant them in drafting and presenting such a bill, but they were much pleased to be invited to help with the passage of the Traveling Library bill, drafted by Judge Towner of Corning and introduced in the legislature in 1896. Letters were sent to each club in the Federation asking its officers to write personal letters to Senators and Representatives from their districts asking for their support to the bill and also requesting that an article written by Judge Towner, on this subject, be published in their city papers. The prompt response to the call was what really secured the passage of the bill.⁸²

By the act which was approved on April 8, 1896, the trustees of the State Library were empowered to establish associate libraries in connection with the school and college libraries throughout the State. The trustees and the State

⁸² Letter to the writer from Alice S. Tyler, Dean of the School of Library Science, Western Reserve University, dated March 9, 1929; *Report of the Iowa Federation of Women's Clubs*, 1907, p. 114; *Proceedings of the Iowa Federation of Women's Clubs*, 1897, pp. 53, 54.

Librarian were to develop the details of a loaning system, including the loan of books. Such loans were made to associate libraries and, upon receipt of a petition signed by twenty-five taxpayers, to communities and organizations where no library existed. An appropriation of \$4000 was made for the purchase of books and equipment. These collections were to be designated as Iowa Traveling Libraries. In 1898 an annual appropriation of \$2000 was made for this purpose. In 1902, when the Iowa Library Commission was created, the Traveling Library was transferred from the State Library to the Commission.⁸³

The books of the Traveling Library were divided into two groups — a general loan collection, from which books were selected to fill requests, and fixed sets of fifty books each. When the Traveling Library was transferred to the Library Commission a revision of the older libraries was begun and an author and subject catalog was prepared on cards for office use. As the collection of books increased and their use developed, it was found that many of the books in the fixed sets were better suited to the needs of the study clubs, and would, therefore, be of more service in the general loan collection. It was seen too that by adding new books to some of the older sets their usefulness would be increased. The work of revision was a slow process and was carried on gradually as the libraries came in from circulation over the State.⁸⁴

The Traveling Library is under the direct supervision of the Secretary of the Library Commission. Very early it grew to such proportions and required the close attention of skilled help to such an extent that the responsibility was put in the hands of a special traveling librarian. Miss

⁸³ Brigham's *A Library in the Making* (1913), p. 57; *Laws of Iowa*, 1896, Ch. 49, 1898, Ch. 148, 1902, Ch. 173.

⁸⁴ *Biennial Report of the Iowa Library Commission*, 1900-1903, p. 37.

Margaret W. Brown was the first person to serve in this capacity. She carefully worked out the charging system and the office and shipping records and the efficiency of the Traveling Library was due largely to her efforts. In 1912, Miss Brown resigned on account of ill health and Miss Reba Davis, a graduate of the Illinois Library School, was appointed to the position. During the eleven years of her service, she thoroughly organized and developed the Traveling Library, inaugurated the reference work with study clubs and aided debate work considerably. During this period books for the blind were added to the collection, hundreds of Traveling Library stations established and the Traveling Library of Iowa made an important factor in rural education and recreation.⁸⁵

The Traveling Library places books within the reach of every citizen of the State however remote from a library. All material from the Traveling Library is loaned free, except for transportation charges. Schools, both rural and city, and organizations such as women's study clubs, missionary societies, farmers' clubs, debating teams, and kindred organizations make use of the books of the Traveling Library. Free public libraries having small collections and library associations borrow books from the Traveling Library. Books are also loaned to individuals. The largest number of books, both of fixed groups and from the general loan collection go to the schools — rural schools, consolidated schools, graded and high schools in towns without libraries, and also to high schools and colleges in towns having public libraries which are not able to supply needed debate material. Titles are often duplicated many times, but the supply of books is far short of the number needed.⁸⁶

⁸⁵ Alice S. Tyler's *Library Extension Work by State Commissions* (clipping); *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 37.

⁸⁶ Tyler's *Books for a State* in the *Farmer's Wife*, Vol. XIV, (April, 1912), p. 341; Tyler's *Supplying Books to the People of Iowa* in *Wallaces' Farmer*,

The only supply of books in many small communities is the Traveling Library. The number of books is, however, inadequate for the needs. Many boys and girls in Iowa are wholly dependent for their reading upon the books sent to school and community libraries from the Traveling Library.

Many demands are made by farmers, both individually and through the farmers' clubs, for the latest and best books on various phases of agriculture. Books on home-making, domestic science, etc., are requested by farmers' wives. The Traveling Library is in close touch with the Agricultural Extension Department of the State College at Ames and has received its hearty support and coöperation. The Agricultural Extension Department is in turn supplied with books from the Traveling Library for use in exhibit cars and short courses. The selection of books for the Traveling Library on agricultural subjects is made upon the advice and judgment of experts in these lines.⁸⁷

The open shelf or general collection is drawn upon to fill requests for material upon certain topics or lines of study, or for specific books. These may be loaned to individuals or to groups and the number of such requests received from individual borrowers is increasing. Many of the requests can not be filled when received, but reservations are made and the book is finally sent to the one who wishes it. Books in the general collection are loaned for two weeks.

Each of the fixed sets of fifty books contains history,

Vol. XXXVI (December 29, 1911), p. 1814; *Biennial Report of the Iowa Library Commission*, 1900-1903, p. 38, 1918-1920, p. 19, 1926-1928, p. 11; Stuart's *Iowa Owns Books—Iowans Use 'Em* in the *Iowa Magazine Section*, 1923, pp. 367, 376; Robinson's *Do You Want Books?* in *Midland Schools*, November, 1936.

⁸⁷ Tyler's *Supplying Books to the People of Iowa* in *Wallaces' Farmer*, Vol. XXXVI (December 29, 1911), p. 1814; Tyler's *Success of the Traveling Library in the Homestead*, Vol. LV (March 3, 1910), p. 519; W. H. Stacy's *How to Obtain Books* (Iowa State College of Agriculture and Mechanic Arts Extension Bulletin No. 180, January, 1932).

travel, biography, useful arts, fiction, some books for children, and miscellaneous literature, selected to meet the needs of the average community. These sets are loaned for periods of three months. The loaning of fixed groups is now less common since better service can be given by selecting a certain number of books from the general loan collection.⁸⁸

The Traveling Library also contains picture collections. These include reproductions of famous paintings, historical pictures, and a collection of photographs of the beauty spots of Iowa. Pictures are loaned for exhibition and for study. In 1934 there were 171 picture collections available. Stereoscopic views are also loaned for school use, and for use by study clubs and "shut-ins".⁸⁹

Books for the blind were circulated as early as 1903. This was made possible by the coöperation of the Superintendent of the Iowa College for the Blind. As the New York Point system was the one generally understood in Iowa, and taught at the Iowa College for the Blind at Vinton at that time, the Library Commission circulated books in New York Point. During the biennium 1922-1924 books in Revised Braille were added as the system of teaching at the Iowa College for the Blind was changed from the New York Point to the Revised Braille. The books are loaned free to blind readers of Iowa. In 1934 there were some 1300 books for the blind in the Traveling Library.⁹⁰

One feature of the Traveling Library work is the exhibit held at the State Fair each year by means of which the

⁸⁸ Tyler's *Library Extension Work by State Commissions* (clipping); *Biennial Report of the Iowa Library Commission*, 1926-1928, p. 11.

⁸⁹ *Biennial Report of the Iowa Library Commission*, 1906-1908, p. 16, 1908-1909, p. 19.

⁹⁰ *Biennial Report of the Iowa Library Commission*, 1900-1903, pp. 40, 41, 1903-1905, p. 13, 1932-1934, p. 17; interview with Julia A. Robinson on January 4, 1929.

books are made known to the farmers and others attending the Fair.

In summer, when schools are not in session, books are loaned to Young Women's Christian Associations, Young Men's Christian Associations, Campfire Girls' camps, and other organizations, thus keeping the books in use.

In 1903 the Commission reported 175 centers receiving Traveling Library books. During the first year the Traveling Library operated under the Library Commission, 227 libraries were sent out, the number of readers being 6,693 and the circulation 19,032 volumes, though reports were not received from all the libraries sent out. The number of volumes in the Traveling Library was 11,600. The second biennial report for the years 1903-1905 gave the circulation of Traveling Library books as 58,118 volumes. In 1912 there were 22,823 books on hand and a circulation of 30,211 volumes. The number of volumes in the Traveling Library, in July, 1916, had increased to 32,367, of which 13,900 volumes were in fixed groups. In 1933, thirty years after the founding of the Library Commission, there were 68,662 books in the Traveling Library, and 224,296 books were loaned to schools, clubs, and individuals during the preceding biennium. In November, 1936, the number of books was listed at 69,949 and the circulation for the biennium was 228,698.⁹¹

ADVANCE OF PUBLIC LIBRARY WORK IN IOWA

An account has been given in the preceding chapters of some of the earliest association or subscription libraries formed in the State of Iowa, the advancement of the public library movement through legislation, and progress made under the guidance of the Library Commission. An attempt

⁹¹ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 38, 1903-1905, p. 10, 1914-1916, p. 16, 1932-1934, p. 17; data furnished by Julia A. Robinson, Secretary of the Iowa Library Commission, dated November 6, 1936.

will be made here to review the causes or agencies which have influenced public library development and to summarize general library progress and conditions in the State.

Women's clubs and organizations have been one of the most influential factors in the establishment and development of libraries. A Women's Club, the Young Men's Christian Association, or a church society was often the means of starting the library movement in a town or city. In some towns various clubs federated for this purpose.⁹² The first standing committee appointed by the Iowa Federation of Women's Clubs was the Library Committee whose work has been closely identified with that of the Iowa Library Association. This Committee was largely influential in securing the system of traveling libraries in 1896. A few years later the aid of the Federation was a potent factor in securing the creation of the State Library Commission. The general interest in public libraries and the growth made throughout Iowa undoubtedly have been due largely to the Women's Clubs. Many of the library buildings are the results of the efforts of the Federation; members of the Women's Clubs fostered the small subscription library and then secured a tax to make it a free public library that it might be more broadly useful.⁹³

Another agency which has worked for the improvement of library facilities is the Iowa Library Association, which was organized in 1890 as the Iowa Library Society for the purpose of promoting the library interests of the State. This organization was largely due to the efforts of Mrs. Ada North, then librarian of the State University Library at Iowa City. Iowa was the second State in the union to

⁹² *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 10.

⁹³ Mrs. T. J. Fletcher's *Relation of the Library to Study Clubs* in the *Iowa Library Quarterly*, Vol. III (1903), p. 63; *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 10.

form an organization of the kind, New York being the first.⁹⁴

In 1894 the annual meeting of the Iowa Library Society was held in connection with the State Teachers Association. The Library Society was made a section of the Association and was designated as the Iowa Library Section. The library group, however, withdrew from the Teachers Association in 1896 and organized as the Iowa Library Association. The object of the Association, as stated in the articles of incorporation, was to encourage the establishment of public libraries throughout the State, to disseminate information concerning proper methods of conducting them, and to encourage in cities and towns public opinion favorable to the general support of public libraries.⁹⁵

At each of its meetings the Association urged the appointment of a library commission and the creation of the Iowa Library Commission in 1900 was largely effected by leaders in the Iowa Library Association. In coöperation with the Iowa Library Commission the Iowa Library Association now holds eight district meetings throughout the State in the spring.

Library progress in Iowa has also been considerably influenced by Mr. Carnegie's gifts for library buildings. For many years Iowa has been one of the leading States in the number of Carnegie library buildings erected.⁹⁶ In the report for 1900-1903 the Iowa Library Commission made the following statement:

"The liberality of Mr. Andrew Carnegie in erecting library buildings, both in this country and abroad, has undoubtedly given an impetus to the library movement that it might not otherwise

⁹⁴ *Iowa Library Association* (1904), p. 8; *Library Journal*, Vol. XVII (September, 1892), p. 287.

⁹⁵ *Iowa Library Association* (1904), pp. 10, 11, 12.

⁹⁶ T. W. Koch's *A Book of Carnegie Libraries* (1917), p. 166; *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 8.

have had. While the public library would without doubt have grown in strength because of its recognized service to the community in the higher development of the people, nevertheless the proffer of a building for housing the library serves as an incentive in many communities to establish a library."⁹⁷

The first Carnegie library building erected in Iowa was at Fairfield in 1893. In 1903 there were forty-four public library buildings and three college library buildings in Iowa erected with Carnegie money. In 1913 there were eighty-three Carnegie libraries in Iowa and in 1934 the State had one hundred public library buildings erected with Carnegie gifts, representing a total cost of \$1,900,000. The smallest Carnegie library building in the State was erected at Laurens (with a population of 864) in 1910 at a cost of \$3800. The smallest town in Iowa containing a Carnegie library is Alden, a town having a population of 759 in 1928. This library building was erected in 1913 at a cost of \$9000. The largest Carnegie gifts for library buildings were received by Cedar Rapids, Davenport, Dubuque, and Sioux City.⁹⁸

In 1928 Iowa had only twenty-two library buildings not Carnegie gifts. The public library of Des Moines, the largest in the State, and the public library of Forest City, a small library of 4891 volumes opened in 1928, are the only public libraries in the State having buildings entirely paid for by taxation.⁹⁹

Another factor affecting library development in Iowa that can not be overlooked is the changing rural conditions. In the early days the city and country were far separated and

⁹⁷ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 14.

⁹⁸ *Biennial Report of the Iowa Library Commission, 1900-1903*, p. 14, 1926-1928, pp. 22, 24, 1932-1934, pp. 21-25; *The Des Moines Register*, December 9, 1917.

⁹⁹ *Biennial Report of the Iowa Library Commission, 1926-1928*, pp. 18-21; *The Des Moines Register*, December 9, 1917.

there was little in common between them. The hard life of the pioneers, bad roads, and the wide reach of distance made many things hard to obtain. Modern conditions have united the heretofore far separated urban and rural classes. Now the rural districts work in coöperation with the city. Society is demanding a broader culture, even in the smaller communities. The township extension law passed in 1906 made it possible for public libraries to extend the free use of books to those residing in the country adjacent to a town or city having a free public library. In 1908 six libraries reported having secured the coöperation of one or more townships. Interest and enthusiasm was aroused in the townships where work had been inaugurated.¹⁰⁰

The farmers, through the farmers' clubs and as individuals, demand the best books on agriculture. They become acquainted with the Traveling Library books through the Agricultural Extension Department of the State College at Ames. "Farm women are almost universally readers." Books on home-making and similar subjects are furnished by the Traveling Library.¹⁰¹

In 1916 twenty-four libraries were giving extension service, one library serving six townships, another serving four townships, two towns, and a school corporation. In 1936 twenty public libraries were giving extension service to from one-half a township to eight townships. In addition, Hardin and Page counties were giving county library service. Three tax-supported libraries — Alden, Eldora, and Iowa Falls — furnish books to the rural schools of Hardin

¹⁰⁰ *Biennial Report of the Iowa Library Commission, 1906-1908*, p. 9, 1908-1910, p. 9.

¹⁰¹ L. L. Dickerson's *The Library and Changing Iowa* in the *Iowa Library Quarterly*, Vol. VII (1915), p. 183; Tyler's *Supplying Books to the People of Iowa* in *Wallaces' Farmer*, December 29, 1911, p. 14; L. I. Reed's *The Public Library and the Rural School* in the *Iowa Library Quarterly*, Vol. VII (1913), p. 54; W. R. Eastman's *Rural Extension* in the *Library Journal*, Vol. XXIX (January, 1914).

County and two public libraries — Clarinda and Shenandoah — perform the same service in Page County. In Hardin County the libraries supply only the rural schools.¹⁰²

In the summer of 1926 the Iowa Library Association purchased the Iowa Book Car which was used to extend library service. The expenses for gasoline and repairs were met by the library using the car. It was much used the first year, but has been less used since, though it served a good purpose by calling attention to the possibility of county library service.¹⁰³

During the period 1916–1918 library work of all kinds was affected by war conditions and in 1918 the influenza epidemic handicapped the work. In 1919 and 1936 a coal shortage closed some libraries. The number of communities making library beginnings by voting for the establishment of a public library was small, only five voting for tax support. To provide, advertise, and display books and pamphlets on all phases of the war was the first and constant effort made by all libraries. The Secretary of the Iowa Library Commission acted as Library Director of publicity for food conservation in Iowa. Two campaigns for the collection of books for camps were carried on. In the first Iowa gave 24,000 and in the second over 100,000 books. The Secretary of the Library Commission acted as State Director in both campaigns. Many of the books collected for the camp libraries went to the Commission office, where they were sorted, and bookplates, cards, and pockets were placed in the books, which were then packed and shipped to the camps designated by the War Service Committee of the American Library Association. Sixteen Iowa

¹⁰² Data furnished by Julia A. Robinson, Secretary of the Iowa Library Commission, November 6, 1936.

¹⁰³ *Biennial Report of the Iowa Library Commission, 1924–1926*, pp. 6, 8, 1926–1928, p. 9.

librarians gave more or less time to work in camp or hospital libraries or at headquarters in Washington.¹⁰⁴

The number of public libraries and the number of books available to library patrons has steadily increased. In 1892 there were fifteen free public libraries in Iowa, supported by taxation. In 1900 there were forty-eight; in 1920 there were one hundred and forty; in 1934 there were one hundred and seventy-eight; and in 1936 there were 196 public libraries. In 1900 there were, in addition, some forty-eight association or subscription libraries. These appear to remain as a borderline attempt to furnish books in communities without a library, for in 1920 fifty such libraries were reported and in 1936 one hundred and twenty.¹⁰⁵

The Commission report for 1924-1926, gave the total number of volumes in tax-supported libraries as 1,764,356 and the total circulation as 7,101,334. The population of the State having access to tax supported libraries was 912,054 and to association libraries was 93,281, making a total of 1,005,335 out of a total population of 2,419,927.¹⁰⁶ The year ending March 31, 1934, showed a circulation of 11,384,612. In 1936 the number of volumes in Iowa public libraries was 2,386,674 and the number of books loaned for the preceding year was 9,889,829. The number of Iowa residents having access to public libraries in 1936 was 1,206,647.¹⁰⁷

¹⁰⁴ *Biennial Report of the Iowa Library Association*, 1916-1918, pp. 5, 8, 9, 10.

¹⁰⁵ Julia A. Robinson's *Iowa Library Facilities* in *Iowa Industrial Survey* (1932); *Biennial Report of the Iowa Library Commission*, 1900-1903, p. 13, 1918-1920, pp. 6, 8, 11, 1932-1934, pp. 6, 7; *Iowa Official Register*, 1901, pp. 162-167; data furnished by Julia A. Robinson, Secretary of the Iowa Library Association, dated November 6, 1936.

¹⁰⁶ *Biennial Report of the Iowa Library Commission*, 1924-1926, p. 23.

¹⁰⁷ *Biennial Report of the Iowa Library Commission*, 1932-1934, pp. 8, 21-25; data furnished by Julia A. Robinson, Secretary of the Iowa Library Commission, dated November 6, 1936.

That people in the smaller towns read more than those in larger places is, perhaps, only to be expected. In 1928 the per capita circulation of the West Branch Public Library was thirty-two, the highest in the State. The number of volumes in the library at that time was 4175 and the total number of borrowers was 844. Of these 256 were from the country. At the same time the Davenport Public Library led the larger public libraries in circulation with a per capita loan of a little over ten books.¹⁰⁸

As public libraries have been established in cities and towns, Iowa's urban population is now largely library served, but a large part of the rural population is not yet provided for. In 1900, 85 per cent of the people of Iowa were without the benefits of free public libraries. By 1936 this percentage had dropped to 52 and many of these people were served by the Iowa Traveling Library.¹⁰⁹

In 1914 there were fourteen counties and fifteen county seats without a free public library. Seven cities with a population over 2000 and about fifty towns with populations ranging from 1000 to 2000 were, at that time, without public libraries, though some of these had association libraries. Twenty years later there were still four cities having a population over 2500 without public libraries but two of these — Valley Junction and Bettendorf — were near large city libraries. According to the report for 1932-1934, there was at least one free public library in each Iowa county except Van Buren and some counties had more than one. Thirty-five counties had two free public libraries, twelve counties had three such libraries, six counties had four libraries, and one — O'Brien County — had five public libraries. Many of the forty-four counties with only one public

¹⁰⁸ *Biennial Report of the Iowa Library Commission, 1926-1928*, pp. 18-25.

¹⁰⁹ *Biennial Report of the Iowa Library Commission, 1932-1934*, p. 13; *Ought Iowa to Have a Library Commission* (1900).

library are those with the larger libraries such as Polk, Woodbury, Dubuque, and Scott counties.¹¹⁰

The general advance in library work in Iowa has, of course, been affected by the depression. The demand for a reduction of expenditures made itself felt in the appropriations by the General Assembly for the Iowa Library Commission and in the municipal levies for local libraries. The Beatty-Bennett Bill requiring a cut of five per cent in the tax levies naturally caused decreases in library appropriations in many places, although the cut was not legally required to include libraries. The reduction in property values and unpaid taxes also reduced the income of tax-supported libraries, while bank failures tied up money already in the hands of the library trustees. Librarians' salaries, already extremely low in comparison with the qualifications required, were cut from five to twenty-five per cent. The personnel of many libraries was reduced, although there was an increase of almost two million in the book circulation of the public libraries. The total income from taxes between 1932 and 1934 showed a decrease of \$72,903, and money tied up in closed banks almost equalled the drop in income so that salaries were almost \$70,000 less and the amount used to purchase books in the year ending in March, 1934, was nearly \$65,000 less than in 1932. At the same time libraries profited slightly from CWA, CWS, PWA, and NYA assistance. During the winter of 1933-1934 some fifty libraries were cleaned by CWA workers and about thirty were painted. Such assistants in regular library work were less satisfactory although "the sums paid for the workers without experience or preparation was often in excess of that being paid to regular librarians and assistants."¹¹¹

¹¹⁰ *Biennial Report of the Iowa Library Commission, 1912-1914*, p. 8, 1932-1934, pp. 6, 19, 20.

¹¹¹ *Biennial Report of the Iowa Library Commission, 1930-1932*, p. 7, 1932-1934, pp. 5, 7, 8.

This is, however, only a passing phase of library work. It seems to be a generally accepted principle that libraries are entitled to public support and are necessary and desirable if an intelligent body of citizens is to be maintained.

LETHA PEARL McGUIRE

LIBRARY OF THE UNIVERSITY OF CALIFORNIA AT LOS ANGELES
LOS ANGELES CALIFORNIA

HUNTING IN NORTHWESTERN IOWA

The two narratives which make up this article were secured by interviews with the hunters and their related experiences were set down by a shorthand reporter. Only occasional changes have been made in spelling, grammar, punctuation, and capitalization. The conversational style has also been retained. The stories are part of a series of similar interviews which present a picture of hunting in Iowa in the vicinity of Spirit Lake.

NOTES FROM AN INTERVIEW WITH E. C. HINSHAW¹

My first remembrance of hunting was back in O'Brien County where I lived as a real small boy. My father was quite a hunter—he had to be. We lived in the town of Sheldon and then moved on a farm for two years. We lived on that farm some fifty years ago and I remember very distinctly the game conditions of that time. I remember the prairie chickens in the spring when the boys would go out shooting. In that county there weren't any hills, it is rolling but no sharp hills. We would find as high as twenty to twenty-five chicken nests on one knoll where the grass had been burned. Father always kept a bird dog. The first hunting I remember was being with my father and a friend of his when they went chicken shooting early in the season and I recall the birds were scarcely half grown. Of course, there were no laws then to protect them. We shot them in the spring, fall, summer, and winter.

Father had one of the first breech loading guns in that

¹ The date of the interview was February 23, 1930. Elmer C. Hinshaw was appointed Fish and Game Commissioner of Iowa on February 1, 1913, and served until April 10, 1919. At the time of the interview he was Mayor of Spirit Lake.

county. He also had a single barrel muzzle loader and one day he was out of primers or wads or something so he couldn't load his shells for his breech loading gun, so he took this single barrel muzzle loader and when we came in we had something like twenty prairie chickens which we got in a very short time.

We were out on a quarter section farm and the rest was all prairie. In those days it was just a matter of walking outdoors and shooting.

I came to Arnold's Park, forty-six years ago, in 1884. At that time market hunting was in its infancy. They weren't doing it on a big scale. Some fellows marketed and shipped them east. Then, in a very few years, there were built in this territory a number of freezers² where they bought game in quantities and shipped it to the eastern market in carload lots. They had two freezers at Spirit Lake and one in Arnold's Park. They bought game from the hunters and froze it solid in these freezers and held it until the market was right. By holding it until the shooting season was over and the birds had gone south, they could get a better price than when the hunting was on.

I would say that eighty per cent of the farmers in this whole territory supported themselves and families partially from market hunting.

There was no trapping that I know of, they shot them all except some winter trapping of prairie chickens, but very little of that. The farmers had guns and dogs and in their spare time they would hunt these birds and sell them to the men who ran the freezers. It didn't make any difference whether you had one bird or a dozen, there was always a market.

Forty years ago, a brother of mine and I put in an entire

² These freezers, as described by another hunter interviewed, were made of lumber, with sawdust and dead air spaces as insulation and a mixture of cracked ice and salt as the freezing agent.

year hunting for the market; that is, all the available time there was to hunt.

I remember one instance when we left Arnold's Park with a span of ponies and started west. We crossed the Sioux River almost directly west of Arnold's Park. There were a few houses along the river and then when you left them it was four miles across to what they called a herd ground where they kept large herds of cattle — they would herd them on these wild prairie stretches. We would start out with plenty of blankets, a grub box and ammunition and paid no attention to where we were going to be when night came — if it was a straw pile or a haystack, it was good enough for us, and there we'd camp. On this particular trip, we camped in a straw pile with the idea of going across to the herd ground the following morning for the purpose of hunting chickens. I owned one small English pointer dog and that was all the dog we had. I remember that he had a broken tail and when his tail was supposed to be straightened out on point, the back half of it would stick straight up. When he had a point, he had the habit of going clear down to the ground, laying his front legs on the ground with his head practically on the ground and his hind legs standing up. Many a time I have found him in the high grass by seeing that broken tail sticking up in the grass. I could see the tail when I couldn't see the dog.

We started across the herd ground that morning and I allowed the dog to run, to give him what we called his work out. A bird dog is like a race horse, he must have a little preliminary run as a work out to put him in shape for the day. We had barely started when he made a point. I got out of the buggy and walked over there. Being a dry year, the grass was eaten down so close that you wouldn't believe that an ordinary reed bird could have hid from you, but there were fifteen chickens within twenty feet of the buggy

and I was unable to see them until they raised. We followed them into a ravine where there was some cover, woods and heavy slough grass. At the next hill, he found another covey.

Along about the middle of the day we found seven or eight hundred mallard ducks in a large slough where the water had dried up, with the exception of possibly an acre in the center, leaving the balance of the slough all mud. The driver of our buggy, a small boy, also had a gun, one that I had discarded because I had blown two inches off the muzzle and had filed it off and didn't consider it a very good shooter. These ducks were so far from the shore that we couldn't reach them. We sent the boy around to the opposite side to scare them up. Brother located at one corner and I at another and while the boy was going around, the entire bunch flew up, made a circle and lit on the mud about thirty yards from the shore near the boy. There was a hill about twenty rods wide that left the boy in plain sight. He crawled on his hands and knees down to the edge of the slough without the ducks appearing to notice him. He shot two barrels into them and for a few minutes it looked like the whole slough was covered with dead ducks. Brother and I got a shot at them as they circled and we soon noticed that ducks were still getting up out of the slough. We both started across the slough. We prepared ourselves with our hip boots before we started and got there in time to kill a few that were getting away. When we finally gathered them up and made the count, the boy had killed forty-seven mallards with the two shots. This boy's name was George McCutchin. He is now a conductor on the Rock Island Railroad between Estherville and Sioux Falls. When we arrived at the freezer that evening we collected for 107 prairie chickens and 58 mallard ducks.

In those days, nobody thought anything of killing game

in that way, and when you get down to the matter of the decrease in the number of ducks, you find it has been ten times as noticeable since the close of the market hunting days. It is a matter of fact and history, so the market hunting can not be accused of being the cause of the destruction of the wild game.

I spent six years as State Fish and Game Commissioner and made quite a study of conditions and of the causes of the decrease of our game. One of the first things I did when I went into the Warden's office was to put up the fight that stopped the draining of the small meandered lakes of the State. I wrote the bill, that is now the law, that prevents drainage of meandered lakes. You can not stop the drainage of private properties.³

I went into the Commissioner's office in April, 1913, and this bill was presented at the session of the General Assembly in 1918. I organized the sportsmen of the State and secured its passage against the determined fight on the part of the drainage advocates who had control of it up to that time. They had been draining lakes at the rate of eight to ten small meandered lakes a year in the State.⁴

A meandered lake is State owned water. The State usually sold the lake to certain land owners or buyers, usually to adjoining land owners who drained the lake and farmed the bottom, if it was farmable. There were cases where, after they had ruined a beautiful body of water, they found it was absolutely valueless.

Rice Lake in the north tier of counties, north of Mason City, was a beautiful body of water, a great duck lake, feeding ground, and breeding ground. The best they were ever able to make out of it was a marsh and the people of that

³ *Code of 1935*, Sec. 13116. The law prescribes that meandered lakes and ponds may not be drained unless such drainage is definitely prescribed by law.

⁴ *Laws of Iowa*, 1915, Ch. 113.

community petitioned the State to take it over again and close the drainage and bring the lake back. I am not sure but that has not been done the last year or two.

While I was the Fish and Game Warden of Iowa I stated that a prairie chicken was a *prairie* chicken and when you destroyed the prairie you had driven the prairie chicken away, never to come back. The season was closed against my advice in 1917.⁵ There has been a continuous closed season ever since and today there is less than one prairie chicken in Iowa to every two thousand there used to be. I can remember when at this time of the year, you could drive out in this part of the country and see chickens that were wintering here. You would see as many as three hundred in a flock all the time. Now this entire fall and winter (1930), I haven't seen more than a dozen.

I gave the same arguments for not closing the season on quail, for the reason that as fast as we remove the wild conditions where the quail has protection during the winter, the quail has to go. The only fellow who is interested in the quail has to go out and build shelters, spend large amounts of money for food, and see that they winter through. He is the fellow who is doing it from the sports standpoint and wants to kill the birds later. All the argument about the value of the quail to the farmer would never make him spend time and money to care for the quail. When the whole subject is thoroughly analyzed, the argument so far as the benefit to the farmer is a huge joke.

As to the destruction of insects by the quail, when figured out from a standpoint of the survival of the fittest, this is about what takes place. The quail eats a large number of insects. He is not particular what kind. He takes the spider and all other carnivorous insects. If there were no quail there would not be any more insects than there are

⁵ *Laws of Iowa*, 1917, Ch. 202.

today, for the reason that when the quail destroys certain insects, he is destroying the things that destroy thousands of other insects. If a scientific study is made of the number of different kinds of insects destroyed by the quail, then we should also study the number of insects that would have been destroyed by these different kinds of insects which the quail had eaten. You would find that the number of insects would be decreased if they were left alone to their own habits of living and destruction of their kind.

For example, they will use such stories as the passing of the passenger pigeon and the buffalo. The passenger pigeon⁶ disappeared over night. Nobody knows where, or why they are gone. They weren't killed. There were millions of them one year and the next year they were gone. It was done all in one season or one flight. They migrated to the north in the summer and they went south in the fall and I think it was in their migration to the south that they disappeared. The theory is that they either got some disease or on attempting to go across the Gulf of Mexico they were caught in a storm. It certainly wasn't the shooter who did away with these birds.

What would we do if we had big herds of buffalo⁷ in Iowa now? The government would have to hire men to go out and shoot them.

During the time that I was State Warden, we had a large number of deer in the vicinity of Avoca. They were a matter of trouble for the department. Farmers were continually demanding damages. Finally, one farmer deliberately shot a deer, then called up and notified the Game Warden

⁶ For another version of the disappearance of the passenger pigeons see E. D. Nauman's *Vanished Hosts* in *The Palimpsest*, Vol. XVI, pp. 169-173. Mr. Nauman says that the extinction was gradual, ending with their disappearance about 1880.

⁷ For a discussion of buffalo in Iowa see H. Arnold Bennett's *The Mystery of the Iowa Buffalo* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXII, pp. 60-73.

that he had shot this deer. The Game Warden went out and arrested him. The farmer stood trial first in a justice of the peace court where he was convicted. The case was appealed to the district court where the conviction was upheld and later was taken to the Supreme Court which reversed the conviction on the ground that the farmer had a right to kill a deer which was destroying his crop or fodder, in spite of the fact that the law made the killing of deer a crime.⁸

When I was Game Warden, I advocated sanctuaries or game preserves where birds could rest, feed, and propagate without being molested, as the best method for the preservation of bird life. I started the first game reserve in this State by leasing large acreages from farmers. We paid for leases just to make them legal. This was for a period of five years, and the farmers co-operated with the Game Warden. The only place where we established a reserve was where enough farmers came in to make sufficient acreage for a reserve.

For this work I received a certificate of merit from the National Protective and Propagation Society of America. At that time this Society was the strongest organization of its kind in the United States. Senator Weeks was one of the authors of the migratory bird law — the Weeks-McLain Bill. He and ex-President Theodore Roosevelt were two of the directors of this organization. I received this certificate for having done the best work in the United States during that year for the protection and propagation of bird life.

The system thus started has been adopted in practically every State in the union, using of course, different methods, but still a large per cent of the game preserves are still obtained and controlled exactly as originally started.

⁸ State v. Ward, 170 Iowa 185.

It would not be amiss to say a little about Fred Gilbert. He was the best game shot or trap shot the State or the world ever produced. His record stands out for a period of years which proves that. Everybody knows about him. Fred had a keen sense of humor. I remember one day he and I were sitting on the Isthmus, the flyway, waiting for ducks and the ducks weren't flying. We didn't know of any place else to go, and we were just about disgusted with the whole thing and ready to go home when another hunter, a stranger, came along and saw Fred sitting behind a stump. He walked over to Fred and said, "Say, partner, where can I go and kill some ducks?" Fred looked up at him and said in his dry way, "If I knew, I'd be sitting right there."

I was born in a sod house in Lyon County, Iowa, about nine miles northwest of Sheldon, in 1872. Lyon County is the extreme northwest county of the State. I think Fort Dodge was the closest trading point. Two or three years after I was born, we moved to the new town of Sheldon and we were in town until I was five and then my people moved on a farm again, and back into Sheldon when I was seven. They were getting along as well as the average persons in that community at that time, even better than the average, but we saw times when corn bread was practically all we had for breakfast, and corn bread was all we had for dinner, and corn bread was all we had for supper. If it hadn't been for the wild game and fish, there would have been times when we certainly would have lacked a large per cent of the calories and vitamins that nowadays we learn are so essential to the building up of strong bodies and minds. In later years, as soon as the game became marketable, it paid for practically all the little luxuries and most of the essentials which the average farmer had in this entire section of the country.

My father at that time was a harness maker by trade and

I remember his buying buffalo hides. They were in common use for robes, to carry in sleighs, wagons, and so forth, and as late as 1883 we had buffalo robes and buffalo overcoats for sale in the harness shop. At that time, we secured the first overcoat made from any other hide, that I had ever seen. It was a dog hide coat. The price of the two coats, buffalo and dog hide, was the same, twenty dollars each, and my father selected the dog hide for himself. Later he found he had made a great mistake.

We had two railroads in the town of Sheldon at that time and for six weeks at a time, during one winter, we never saw a train on account of the snow and cold. The fact that we had plenty of buffalo hides saved many from freezing to death and left us to tell the story at this time. I have seen the time when if we didn't have a bunch of buffalo robes in the house we'd all have frozen to death in it. Sheldon had two railroads, the Omaha and the Milwaukee, as far back as I can remember. The Omaha had a direct line from Sioux City to Minneapolis.

I can remember my father saying he shot elk in Lyon County. I remember one time my father and some other men chased three elk. They chased them with horses. They wounded one and chased it until dark and then lost him. Elk were very scarce. That is the only time I remember of hearing of any elk. Of course, this being an open country, the deer and elk wouldn't be here much except possibly in the summer time.

This whole country was open prairie except a little willow brush along the rivers. There is no such place anywhere where the conditions are the same as they were here fifty years ago. You can go to places where the conditions are as they were here twenty-five years ago, but there is no place on the continent where there is a game paradise such as existed here fifty to seventy-five years ago. There never

was a spot on the continent that was so well adapted to duck and chicken shooting as Iowa and the southern part of Minnesota, certain parts of Illinois, and the eastern part of Nebraska and the Dakotas. The best of it all, though, centered in Iowa.

The chickens used to migrate south in the fall and we could see swarm after swarm of them right here at Spirit Lake. There were certain points which they seemed to follow as they most invariably dodged crossing the water. They would rarely cross the lakes, but would go around them, and this made what we called chicken flyways and we'd go to those places at the break of day and probably a half or three quarters of an hour before sundown and catch the morning and evening flight. I have seen it when standing in one spot I could get twenty or twenty-five shots at chickens in the morning or evening while they were migrating and in flight. That didn't include the thousands that you saw going on each side of you that weren't close enough to shoot at.

You occasionally will find a chicken nest in this country, but if you do find a nest it is almost sure to be on a spot that never saw a plow — a railroad right of way for example.

NOTES FROM AN INTERVIEW WITH FRED F. PHIPPIN⁹

My people came here in 1861. I was in the stockade they built to get away from the Indians. My father helped build that stockade. This was in 1862, the time of the New Ulm, Minnesota, Massacre. The nearest the Indians came to us that time was Jackson, Minnesota. There were seventeen massacred at Jackson. My father helped to bury them.

Fish were very plentiful then. We could go out any time

⁹ The date of the interview with Fred F. Phippin, of Spirit Lake, was February 21, 1930.

and get all we wanted and we didn't need any boat or anything. At that time the old bridge at Okoboji was about three times as long as it is now. We would drive down along Okoboji shore and there was a row of cottonwood trees there, and we would fish off that bridge and we weren't very particular what kind of bait we had because the fish would bite almost anything. Sometimes we would catch thirty or forty pike.

In the spring when the water began to come in from the small streams and the first fresh water would go through under the ice, then the fish would crowd in there and I have seen where you could throw them out by the wagon load.

What few people there were around there would go down after supper and fish and I have seen the pike lay there so that you couldn't stand. They would bite just as fast as you could bait your hook. In the spring time when they were running, pickerel would be the first to make the run up these small streams and people used to throw them out with pitchforks. Usually, we'd salt down two barrels of them for our summer use. If we wanted fish and didn't have time to fish for them we'd always go to the barrel. We just cut the heads off and the entrails out and salted them down and laid them in barrels and they would keep fine. We would lay the fish on the top of our kettle when we boiled potatoes and by the time the potatoes were done the fish would also be done and we would serve them with butter, and they were good.

In the winter everybody would spear the fish through the ice. I used to have a fish house when I felt like being out. I remember, one Christmas I went out and we used some decoys. I made mine out of wood shaped like a minnow, and balanced it with lead, and you could bend the tail and it would run around in there, and I have had eight or ten fish come in there at one time. One time they were coming

so swift I couldn't work my decoy and put the spear to them at the same time. Finally my brother came down and he worked the decoy and I did the spearing. We quit at three in the afternoon and we had fourteen pickerel, weighing four to eight pounds apiece, all we could carry, and we walked down through town carrying our string and everybody came out to look.

When I was a boy I did most of the plowing on our farm. There weren't so many fields to feed on in those days for the birds. About three o'clock in the afternoon geese, ducks, and brant would come along in the field and they were so tame I could walk along and almost touch them with my whip.

There were pelicans and swan down here. I shot the pelican they called "Old Abe". I shot him and got the tip of his wing. I brought him to town and the State Warden came along and asked what I'd take for him and I said several dollars and he said, "Let's crate him up and send him down to Chicago". That was at the time of the World's Fair. They had "Old Abe" down there for the fair and after that they let him loose.

Ed Osborn and Henderson were great hunters in those days. They cleared seven hundred dollars one winter on muskrat, beaver, otter, and wolf. My father used to trap all up and down the Rock River from here to Sioux Falls. There were elk here as late as 1867 and 1868. Osborn and Henderson would hunt elk right where Sibley and Worthington are now. They would sneak up on the elk calves and throw a blanket over them. Then the old elk would go back to the herd, and the baby elk would follow the men.

Before Kurt Arnold went back to Michigan (he used to run a grocery store here) he broke a pair of elk and he used them in the harness. I think he had three elk calves one summer running around in his yard.

There were no railroads in this part of the country when we first came here. We used to go to Fort Dodge and Man-kato. We would go with oxen and it would usually take a week to make the round trip. It all depended on the roads. There were no roads then. We would just go across the prairie. There were grass trails.

Just where the railroad tracks cross East Okoboji there used to be an old sawmill, that is where they sawed the wood for the stockade. One day the men were working there and they saw a great buffalo on the oposite side of the lake, where Ralph kept his boats. When the water was low there used to be a long sand point nearly a third of the way across, and this buffalo came down through the point and started swimming across and the men saw that and they went after it and drove it into the ditch they had built to draw the water up to the mill. I helped eat it. I was eight years old then. This was in 1864. That was the last buffalo I saw here.

The winters were terrible. The snow used to come about the same time it comes now. We landed here on the 8th of October and it hadn't snowed as yet. There used to be much more snow then than now¹⁰ and many people were frozen to death.

Father used to trap quite a good deal after the farming season was over. Usually, he trapped a good deal winters. He used to trap all up and down the Rock River clear to where Sioux Falls is now. There wasn't any Sioux Falls then. All there was there was just a shanty and it looked like it had been used for a blacksmith shop. About half way to Sioux Falls where Rock Rapids is now, there was a man married to a squaw. He was a professional hunter and he lived in a cabin, and that is all there was between here and Sioux Falls.

¹⁰ This was written in 1930, before the record snowfall of 1935-1936.

One spring father found some wild goose eggs and he put them close to his body to keep them warm and brought them home and put them in a box near the fireplace and a hen hatched eighteen of them. In the fall when the geese came along they got to be quite bad and we had to clip their wings. Finally around Christmas we killed and sold them.

At that time land was worth almost nothing. There was all homesteads. There was nothing here at Spirit Lake, except the old courthouse inside the stockade. It was the first courthouse they built up here, and then they built up another one, and since that they have built the present one.

I used to trap quite a few muskrats. I never got any beaver. I used to catch quite a bit of coon. When men went out trapping they would sometimes stay out for a couple of months according to how their grub would hold out and so forth, but just how much of a catch they made I can't just tell. Sometimes they would have quite a bunch. They would also catch some otter. They would take teams to haul their provisions and furs.

An old fellow here (we used to call him Uncle Joe) named Wolford used to supply trappers and share with them. One night he got caught in a storm and froze to death.

When these men went trapping they didn't use tents but they would build themselves a cabin from the nearby timber and work from there. To keep from freezing Osborn and Henderson used to wear what they called elkskin suits. They would tan the hides, take the hair off, and make clothes out of them. My father never had a leather suit. He used to dress mostly in all wool clothing.

We lived in a cabin and father sold it in 1872 and we went back to the State of New York. I learned my trade there and came back to Spirit Lake in 1877 and went into business. Of course, there wasn't very much to the town then. There wasn't a railroad here.

We never put ducks or geese away for the summer because we got them here all the year around, any time we wanted them. You could also go out and get prairie chickens any time.

When I was a boy I had a double barreled gun, rifle and shot gun combined. Most of the guns in those days were muzzle loading shotguns and they were used especially for the small game, but most everybody used rifles for the larger game.

I never hunted ducks for the market, but there used to be an old bachelor here by the name of Wilcox who did nothing else but fish for the market. He would start out in the spring and fish until the fall and he used to make enough during the fishing season to keep him the year around. He used to ship the fish to Des Moines. We just shot ducks for ourselves.

There was a man here by the name of Winters¹¹ who used to have a dozen different men shoot for him, giving them a commission. Fred Gilbert, before he got to be what he was, used to hunt for this man.

Living here back in the sixties was pretty tight nipping sometimes. When we came here it took one year to get the land broke and ready for next season, and then we raised wheat. We had in a crop of wheat before the Indian outbreak happened in 1862. We also had a small piece of corn, about ten acres, and we had in about two acres of potatoes. We had our wheat cut and stacked. That was in August when the outbreak happened.

Two men came up here in the spring from Algona. They stopped with old man Crandall. He had a wagon built longer than most of the wagons but not as high. They went down to the grade at the foot of lake street and stayed there

¹¹ The stories of other men interviewed indicate that this was Joe Winters, but Fred Winters and Henry Winters are also mentioned.

and shot. At eleven o'clock they sent down for Crandall and he drove up here with that wagon full of ducks and that was only from daylight to noon.

After the grasshopper time here, everybody that could, would catch fur, farmers and all, and Mr. Jackson used to take them in exchange for goods. I have seen his counter when you couldn't put another hide there.

There was a man by the name of Henry Brookman who dealt in furs for many years. He would go to local places and buy furs and ship them in. I have seen that man go out of town with the furs packed in gunny sacks. He might have had some furs from some other town but when he left here his wagons were always full. He had two hayrack loads tied and bound down to keep them from falling off. The muskrats saved many a man in the grasshopper time.

Old John Gilbert, Fred Gilbert's father, bought fur for the market. He told me once he had 750 mink and said he had paid not more than seven dollars apiece for them. When mink went up to thirteen dollars, he turned them in at seven dollars because he was agent for a fur buyer.

Ed Warner went out and got seventy muskrats the first night of the season this year, 1930. I used to get fifty cents apiece for a good prime hide when I was a kid.

In 1872 father and I started for Iowa from the State of New York. That fall the horses had what they called the "Canadian Epizootic." They ran the mail from Algona, which was the nearest railroad town, at that time, across to Jackson with a one horse buckboard. There were so many horses sick that they couldn't run the stagecoach. We started for Algona afoot. There used to be a trail, they called it the Lone Hill Trail. Father was acquainted with it, but it had not been traveled very much. That year quite a snow storm came up. We started at Lake Minnewashta. It had snowed and it blowed the snow up into the

hills. Each of us had his pack. We tramped all day without a bite of food and finally we came to a big muskrat house and I sat behind it and tried to eat my lunch but it was all frozen, it had been so cold. I ate a few mouthfuls and then wanted to go to sleep, but my father saw me and pulled me on my feet and if it hadn't been for that I would still be lying there. There was a log cabin about half way between Spencer and Emmetsburg and we went in there and got our supper and they gave us a room. The next morning I couldn't put my clothes on. Father pulled me out of bed and helped me put them on. He was used to it, but I wasn't. We managed to get downstairs and eat a little breakfast, and the worst of it was to walk from there to Emmetsburg. They couldn't carry us because they just had a buckboard and a horse to carry the mail. We walked along and finally an old farmer came along and he took us near town. He wouldn't take us into town because of the Epizootic but he drove us up close to town. We went up to the old stage barn and asked the proprietor if he would drive us to Algona. He said he was sorry but he had thirty horses and not one of them was fit to make the ride. Finally he said he thought he had two horses that might make the trip. He charged us eight dollars. It was twenty miles but we were mighty glad to get there.

It was a mighty cold fall. They couldn't even ferry across the river. They laid ties on the ice and ran the train across the Mississippi River on the ice from McGregor to Prairie Du Chien. This was in 1872. In the summer time they had a railroad ferry.

F. O. THOMPSON

DES MOINES IOWA

SOME PUBLICATIONS

The Adaptation of the Agricultural System to Sub-Humid Environment, by James C. Malin, is one of the three articles in *Agricultural History* for July, 1936.

The State Historical Society of Missouri has recently published the third volume of *Debates of the Missouri Constitutional Convention of 1875*, edited by Isidor Loeb and Floyd C. Shoemaker. This covers the period from May 26 to June 1, 1875.

The Grave of General George Rogers Clark, by R. C. Ballard Thurston; *The Tragedy of the Lewis Brothers*, by Otto A. Rother; and *Notes on Printing in Kentucky in the Eighteenth Century*, by Douglas C. McMurtrie, are the three articles in *The Filson Club History Quarterly* for October, 1936.

Wisconsin Indian Land Cessions, by Taggart Brown; *Extension of the Ioway Focus*, by Robert A. Elder, Jr.; *Corner-Tang Flint Artifacts*, by Charles E. Brown; *The Buffalo in Wisconsin*, by Myra E. Burt; and *Projects for Restoration of Sites and Structures of Historical or Archeological Importance* are papers and articles in the September, 1936, issue of *The Wisconsin Archeologist*.

The Kansas Historical Quarterly for August, 1936, contains the following articles: *Journal of Isaac McCoy for the Exploring Expedition of 1828*, by Lela Barnes; *The First Kansas Band*, by Edward Bumgardner; a continuation of *Letters of a Kansas Pioneer 1855-1860*, by Thomas C. Wells; and the tenth installment of the article on *Ferries in Kansas*, by George A. Root, this one on the Grasshopper River.

The Byzantinization of Sicily, by Lynn White, Jr.; *The Office of Secretary to the Treasury in the Eighteenth Century*, by Dora Mae Clark; and *Intellectual Crosscurrents in American Colleges, 1825-1855*, by George P. Schmidt, are the three articles in *The American*

Historical Review for October, 1936. There are also *Greek Tyranny*, by C. A. Robinson, Jr., and *New Light on the Lincoln-Blair-Frémont "Bargain" of 1864*, by Charles R. Wilson, and a document, *A Carolina Democrat on Party Prospects in 1844*, by Milledge L. Bonham, Jr.

Fact and Fancy in Early Accounts of Minnesota's Climate, by Ralph H. Brown; *Ignatius Donnelly and His Faded Metropolis*, by Ralph L. Harmon; *The St. Croix Valley as Viewed by Pioneer Editors*, by Willoughby M. Babcock; *Making a Motion Picture in 1848: Journal of Canoe Voyage from the Falls of St. Anthony to St. Louis*; and *The Levels of Lake Traverse*, by Jesse W. Shuman, are the five articles in *Minnesota History* for September, 1936. There is also an account of the State Historical Convention of 1936.

George Rogers Clark's Relief Claims, by Temple Bodley; *The Other End of the Great Sauk Trail*, by Harry L. Spooner; "Conservative" — *Another Lincoln Pseudonym?*, by Glenn H. Seymour; *The Brenton Tavern*, by Florence Gratiot Bale; *The Naming of Bloomington*, by Vernon A. Syfert; and *A Plea for Our Old Graveyards*, by Sara John English, are the articles in the *Journal of The Illinois Historical Society* for July, 1936. Under *Historical Notes* there is *The Illinois Central in Illinois History*, by Henry Horner.

The Autumn (1936) number of the *Michigan History Magazine* includes the following articles: *Masonry in Michigan*, by Lou B. Winsor; *Restoration of Old Fort Holmes on Mackinac Island*, by E. M. Clark; *Reminiscences of Michigan's Logging Days*, by Willis C. Ward; *Michigan's Upper Peninsula*, by Lew A. Chase; *Historical Geography of the Detroit Water Supply*, by Bert Hudgins; *Celebrations in Which Michigan Has Had a Part*, by Willis Dunbar; and *Painting and Sculpture in Michigan*, by Clyde H. Burroughs.

The Historical Tour of 1936, by Marian Silveus; *The Importance of History to Our Generation*, by Frank C. Harper; *Three Notable Collectors of Americana*, by Henry Oliver Evans; and *Approaches to the Early History of Western Pennsylvania*, by Alfred P. James, are the articles in the September, 1936, issue of *The*

Western Pennsylvania Historical Magazine. The *Notes and Documents* include *Minutes of the Young Men's Whig Association of Pittsburgh, 1834*, and *As Forbes Trailed Through*, by Lewis C. Walkinshaw.

The Mississippi Valley Historical Review for September, 1936, contains the following papers and articles: *Some Considerations on the Safety Valve Doctrine*, by Murray Kane; *An Interpretation of the Statehood Process, 1800 to 1850*, by Bayrd Still; *Western Attitude Toward National Banks, 1873-74*, by George L. Anderson; *The Twenty-ninth Annual Meeting of the Mississippi Valley Historical Association*, by Leota S. Driver and William C. Binkley; and *The Essays on "Habeas Corpus" in the Judge Sharkey Papers*, by F. Garvin Davenport.

The Transactions of the Illinois State Historical Society for 1935 (Publication No. 42 of the Illinois State Historical Library) contains the following papers read at the annual meeting on May 9, 1935: *Genesis of a Railroad*, by Earnest Elmo Calkins; *George Rogers Clark and Historians*, by Temple Bodley; *The Epic Historical Significance of President Lincoln*, by William Baringer; *Culture in Illinois in Lincoln's Day*, by Florence Walton Taylor; and *Newton Bateman, State Superintendent of Public Instruction and President of Knox College*, by William Edward Simons.

The Ohio State Archaeological and Historical Quarterly for October, 1936, contains the following articles: *The Ohio-Michigan Boundary Dispute Re-examined*, by Carl Wittke; *Immigrant Colonies in Cleveland*, by Wellington G. Fordyce; *The Zoar Society: Applicants for Membership*, by Edgar B. Nixon; *A Journey from Baltimore to Louisville in 1816: Diary of William Newton Mercer*, edited by Edwin Adams Davis and John C. L. Andreassen; *Further Notes on Granvill's Anti-abolition Disturbances in 1836*, by Robert Price; *A Note on Mrs. Trollope*, by John Francis McDermott; and *News from the "Ohio"*.

James Whitcomb Riley, by George C. Hilt; *John W. Foster, Soldier and Politician*, by Daniel W. Snepp; *Octave Chanute: Pioneer Glider and Father of the Science of Aviation*, by Frank F.

Fowle; *James Woodburn: Hoosier Schoolmaster*, by James Albert Woodburn; *Judge Horace P. Biddle*, by Sarah S. Pratt; and *A Search After Truth* (reprinted) by George W. Julian, are articles and papers in the *Indiana Magazine of History* for September, 1936. There is also a third installment of *Beginnings of a Possible Autobiography By a Man of Common Clay*, by the editor. This issue also contains a special section entitled *Indiana Genealogy*, edited by Martha Tucker Morris. This contains *Harrod Deeds in the Clark Grant*, by Susan W. Atkins; *Bible Records*; and *Marriage Records of Tippecanoe County, Indiana*.

IOWANA

One Hundred Faithful Years is the title of a pamphlet published by the Torbert Drug Company of Dubuque. It is dedicated to Glenn Brown. C. H. Wunderlich is president and general manager.

A Medical History of Winnebago County, by Harry French Thompson, has been reprinted in pamphlet form from *The Journal of the Iowa State Medical Society* for August, September, and October, 1936.

A biographical sketch of Charles A. Rawson appears in *Grinnell and You* for October, 1936. Mr. Rawson was United States Senator in 1922. This number also contains an address by Harrison J. Thornton on *Moral and Ethical Forces and Contemporary Life*.

Miss Karen Larsen is the author of a volume entitled *Laur. Larsen Pioneer College President*, the biography of her father, who was president of Luther College at Decorah from 1861 to 1902. The volume contains much information concerning Luther College and life among the Norwegians in pioneer Iowa, Minnesota, and Wisconsin.

A continuation of *A Medical History of Winnebago County*, by Harry French Thompson, appears in *The Journal of the Iowa State Medical Society* for September and October, 1936. The October issue also contains *The Transition from Franklin Medical School to the Keokuk College of Medicine of the State University of Iowa*, by Ferdinand J. Smith. This is continued in the November number.

The *Bulletin of the Grand Lodge of Iowa A. F. & A. M.* has a series of biographical sketches of Governors of Iowa, by Earl B. Delzell. The story of James Clarke appears in the September issue, Samuel Jordan Kirkwood, in the October number, and William Milo Stone in the November issue. The September *Bulletin* also contains an article by Earl B. Delzell on *Iowa Governors Who Were Masons*.

The Farmer and the Land, a pamphlet recently published by *The Des Moines Register and Tribune* contains a series of articles on the farm problem in Iowa. The first of these is a reprint of an article by Mark Sullivan, which appeared in the press on July 14, 1936. Following this there are six editorials which appeared in *The Des Moines Register* between July 16th and July 29th, 1936. The pamphlet also contains copies of two cartoons by J. N. Darling — "Ding".

Some Northern Iowa Judicial History, by Remley J. Glass; *Gustavus Benson Brackett*, by David C. Mott; *Jonas M. Poweshiek, An Autobiography*; *First Mormon Handcart Trip Across Iowa* (a camp journal kept by Andrew Galloway, secretary of the first handcart company to leave Iowa City); and a continuation of the diary of William Savage, Iowa pioneer, diarist, and painter of birds, are contributions published in the October, 1936, number of the *Annals of Iowa*.

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Washington's first railway, by Don Wheelan, in the *Washington Journal*, July 6, 1936.

When the railroad came to Cedar Falls, in the *Cedar Falls Record*, July 8, 1936.

History of Iowaville, in the *Keosauqua Republican*, July 9, 1936.

The home of George L. Davenport, in the *Davenport Times*, July 11, 1936.

Lincoln's fee in the Rock Island bridge case, in the *Davenport Democrat*, July 12, 1936.

Davenport's contribution to railroad building, in the *Davenport Times*, July 15, 1936.

St. Charles was sixty years old on July 14th, in the *St. Charles News*, July 16, 1936.

Sketch of the life of Senator Louis Murphy, in the *Dubuque Tribune*, July 17, and the *Dubuque Telegraph-Herald*, July 18, 21, 1936.

The story of Newton and Jasper County, from a radio talk by John E. Cross, in the *Newton News*, July 20, 1936.

The beginnings of Elkport, in the *Clayton County (Elkader) Register*, July 22, 1936.

The socialist colony of Communia, in the *Clayton County (Elkader) Register*, July 22, 1936.

Burial places near Guttenberg, in the *Clayton County (Elkader) Register*, July 22, 1936.

One hundred years of Clayton County history, in the *Clayton County (Elkader) Register*, July 22, 1936.

Sketch of the life of T. J. Sullivan, in the *North Iowa (McGregor) Times*, July 23, 1936.

When Jackson County was "Far West", by Mrs. Mary Ann Swaney, in the *Jackson County (Maquoketa) Sentinel*, July 24, 1936.

The "Tama Jim" Wilson I knew, by W. I. Endicott, in the *Traer Star-Clipper*, July 24, 1936.

What the box of relics under the Keokuk monument contained, in the *Keokuk Gate City*, July 25, 1936.

Few 100-year farms in Iowa, in the *Des Moines Register*, July 26, 1936.

Sketch of the life of D. C. Babbitt, in the *Council Bluffs Nonpareil*, July 26, 1936.

Iowa on a map of 1846, by Naomi Doebel, in the *Cedar Rapids Gazette*, July 26, 1936.

Sketch of the life of Z. S. Ratliff, in the *Mt. Pleasant News*, July 27, 1936.

The career of Andrew Townsend Hisey, candidate for Governor, in the *Marshalltown Times-Republican*, July 29, 1936.

St. Peter's Rock, in the *Waterloo Courier*, July 29, 1936.

Bill of sale for barge named "G. Stoddart", sold by Gideon Stoddart to Peter Schiltz, in the *Dubuque Tribune*, July 29, 1936.

New process of restoring Indian pottery is boon to archeologists, by Charlotte Radsliff, in the *Cedar Rapids Gazette*, August 2, 1936.

John A. Hood recalls Civil War experiences, in the *Carroll Times*, August 3, 1936.

Council Bluffs was named 132 years ago, in the *Council Bluffs Nonpareil*, August 3, 1936.

Sketch of the life of Charles Webster, in the *Mason City Globe-Gazette*, August 3, 1936.

Harrison County history, in the *Missouri Valley Times-News*, August 3, 17, 24, 29, 1936.

Zalmona German Presbyterian Church celebrates eightieth anniversary, in the *Waukon Democrat*, August 5, 1936.

Sketch of the life of Otto A. Helming, in the *Waukon Democrat*, August 5, 1936.

Features of pioneer life, in the *Lamoni Chronicle*, August 6, 1936.

Early Winnebago County history, by L. H. Pammel, in the *Forest City Summit-Independent*, August 6, 1936.

Genealogical record of Washington County, in the *Washington Democrat Independent*, August 6, 8, 1936.

First paved street in Washington, by Walter Jungbluth, in the *Washington Democrat Independent*, August 6, and the *Washington Journal*, August 8, 1936.

History of Polk County, by A. A. Reams, in the *Des Moines Plain Talk*, August 6, 1936.

Iowa-Missouri boundary war left "no-man's land", reprinted from the *Kansas City Times*, in the *Hamburg Reporter*, August 6, 1936.

Survey of Poweshiek County history, in the *Montezuma Republican*, August 6, 1936.

Eddyville was an important steamboat port, in the *Eddyville Tribune*, August 6, 1936.

Iowa Falls is sixty-seven years old, in the *Hardin County* (Iowa Falls) *Citizen*, August 6, 1936.

Sketch of lives of E. D. Tompkins and Burt Harwood, in the *Wright County* (Clarion) *Monitor*, August 6, 1936.

Indian uprising on Minnesota frontier in 1862, in the *Fort Dodge Messenger & Chronicle*, August 8, 1936.

S. L. Dows home was once one of Cedar Rapids' show places, in the *Cedar Rapids Gazette*, August 9, 1936.

History of Camanche, by Ethel L. Hugunin, in the *Davenport Star*, August 10, 1936.

Council Bluffs celebrates its centennial in 1936, in the *Des Moines Register*, August 12, 1936.

Early history of Camanche, in the *Clinton Herald*, August 12, 1936.

Sketch of the life of Curtis N. Kimball, in the *Riceville Recorder*, August 12, and the *Osage Press*, August 20, 1936.

George W. Weaver claims to be first white child born in Buena Vista County, in the *Sioux Rapids Republican Press*, August 13, 1936.

Settlers fought for rights against "claim jumpers", in the *Knoxville Express*, August 13, and the *Winterset News*, August 20, 1936.

Some historical items on town of Letts, in the *Muscatine Journal*, August 15, 1936.

Sketch of the life of Thomas Geneva, in the *Keokuk County* (Sigourney) *News*, August 18, and the *What Cheer Patriot-Chronicle*, August 20, 1936.

Swedish Baptist church of Waukon celebrates eighty-third anniversary, in the *Dubuque Telegraph-Herald*, August 19, 1936.

History of Lee Township in Polk County, in the *Des Moines Plain Talk*, August 20, 1936.

Annual "pow-wow" is reminder of Iowa's Indian history, in the *Moville Mail*, August 20, 1936.

Sketch of the life of Judge Dan W. Hamilton, in the *Des Moines Tribune*, August 21, 1936.

Burlington claims first golf in America was played at Burlington, in the *Davenport Democrat*, August 23, 1936.

Sketch of the life of Clint L. Price, in the *Des Moines Tribune*, August 26, and the *Indianola Tribune*, September 2, 1936.

Pioneer stories of Boone County, by C. L. Lucas, in the *Madrid Register-News*, August 27, September 3, 1936.

How the State capital came to Des Moines, in the *Des Moines Plain Talk*, August 27, 1936.

Wright County settlers had Indian massacre scare, in the *Wright County* (Clarion) *Monitor*, August 27, 1936.

Forecast of Iowa's future population, by Harvey Ingham, in the *Des Moines Register*, August 28, 1936.

Prehistoric giant bison skull is unearthed near Alton, by Newton B. Schreiber, in the *Des Moines Register*, August 30, 1936.

Origin of Iowa's early "blue laws", by Peter H. Harvey, in the *Sioux City Journal*, August 30, 1936.

Some early ordinances of Cedar Falls, in the *Waterloo Courier*, September 2, 1936.

Sketch of the life of Charles A. Rawson, in the *Des Moines Tribune*, September 2, 1936.

Charles Swanson was charter member of Swedesburg Church, in the *Mt. Pleasant Free Press*, September 3, 1936.

Old Ene Baldwin business house at Dallas, in the *Knoxville Express*, September 3, 1936.

Early history of Grand Junction, in the *Grand Junction Globe-Patriot & News*, September 3, 1936.

Biography of Dr. A. W. Drury reveals pioneer history, in the *Cedar Rapids Gazette*, September 6, and the *Toledo Chronicle*, September 17, 1936.

Mr. and Mrs. George Brentner are Mason City pioneers, in the *Mason City Globe-Gazette*, September 9, 1936.

Story of Iowa's remaining water mill, by Harvey Ingham, in the *Des Moines Register*, September 9, 1936.

Sketch of the life of Professor O. B. Clark, in the *Des Moines Register*, September 9, 1936.

Spearheads are found on Middle River bottom, in the *Winterset News*, September 10, 1936.

Louisa County has a hundred years of history, in the *Columbus Junction Gazette*, September 10, 1936.

History of Belle Plaine, in the *Belle Plaine Union*, September 10, 1936.

A history of the "Jumbo" well, in the *Belle Plaine Union*, September 10, 17, 24, 1936.

William M. Lock was probably first permanent settler in Union County, in the *Creston News Advertiser*, September 10, 1936.

Story of Howe's Academy, as told by the son of the founder, in the *Mt. Pleasant News*, September 11, and the *Mt. Pleasant Free Press*, September 17, 1936.

Father Pelamourgues was active as Davenport's first resident priest, in the *Davenport Democrat*, September 13, 1936.

First known mounds of Dakota Sioux Indians discovered in Wisconsin, in the *Cedar Rapids Gazette*, September 13, 1936.

University of Cambridge men founded English colony at Le Mars, by Catherine Hanson, in the *Sioux City Journal*, September 13, 1936.

Sketch of the life of C. D. Smith, in the *Chariton Leader*, September 15, 1936.

Picture of Jesse Mason hung in log cabin in Denison park, in the *Denison Bulletin*, September 17, 1936.

Stories of Van Buren County's early history, in the *Keosauqua Republican*, September 17, 1936.

St. Anthony's was first Catholic church founded in Davenport, in the *Davenport Catholic Messenger*, September 17, 1936.

Sketch of the life of Clinton D. Bennett, in the *Onawa Sentinel*, September 17, 1936.

Castana Congregational Church celebrates fiftieth anniversary, in the *Onawa Sentinel*, September 17, 1936.

"Tobe" Smith was Shelby County's first attorney, in the *Des Moines Register*, September 18, 1936.

James Gallogly of Buckingham has long record as school secretary, in the *Cedar Rapids Gazette*, September 19, 1936.

Chief Justice M. L. McKinley of Chicago Criminal Court is an Iowan, in the *Waukon Democrat*, September 23, 1936.

Sketch of the life of Thomas H. Smith, in the *Harlan Tribune*, September 24, 1936.

Historical items of Sioux City fifty years ago, in the *Sioux City Journal*, September 27, 1936.

Cedar Rapids newspaper of 1885 reveals interesting items, in the *Cedar Rapids Gazette*, September 27, 1936.

Martin Neilan relates John Brown's experiences in Iowa, in the *Sioux City Tribune*, September 28, 1936.

Picture of Shenandoah in 1871, in the *Shenandoah Gazette*, September 29, 1936.

Old East Point Creek Lutheran Church celebrates eighty-fifth anniversary, in the *Waukon Republican & Standard*, September 30, 1936.

Sketch of the life of Cornelia Clarke, photographer of insect and plant life, in the *Grinnell Herald-Register*, October 1, 1936.

New "Who's Who in America" lists 1060 native-born Iowans, in the *Des Moines Tribune*, October 1, 1936.

Historic log cabin in Des Moines, in the *Des Moines Tribune*, October 2, 1936.

Graceland College students represent many States, in the *Des Moines Register*, October 3, 1936.

Samuel R. Van Sant, former Minnesota Governor, was buried in Iowa, in the *Des Moines Register*, October 4, 1936.

History of Monticello, in the *Cedar Rapids Gazette*, October 4, 1936.

First Catholic Church building was brought from Prairie du Chien, in the *Davenport Star*, October 5, 1936.

First faculty of Iowa State Normal School, in the *Cedar Falls Record*, October 6, 1936.

Madrid Christian Church celebrates eightieth anniversary, in the *Madrid Register-News*, October 8, 1936.

Ottumwa means "falling waters", in the *Davenport Catholic Messenger*, October 8, 1936.

Sketch of the life of Johnson Brigham, in the *Des Moines Tribune*, October 8, and the *Cedar Rapids Gazette*, October 9, 1936.

Centennial of first meeting of Wisconsin Territorial legislature will be celebrated at Belmont, in the *Cedar Rapids Gazette*, October 11, 1936.

Sketch of the life of Grace Raymond Hebard, in the *Laramie (Wyoming) Republican-Boomerang*, October 12, 1936.

Luther College celebrates diamond jubilee, by Harvey Ingham, in the *Des Moines Register*, October 14, 1936.

Cedar County government began in 1838, in the *Davenport Star*, October 14, 1936.

Pleasant Hill Church of Christ celebrates centennial, in the *Washington Journal*, October 14, 1936.

Family tree of Josina Van Metre is pioneer saga, in the *Cedar Rapids Gazette*, and the *Waterloo Courier*, October 18, 1936.

Toolesboro is center of Louisa County centennial, in the *Davenport Democrat*, October 18, 1936.

Sketch of the life of Francis M. Hunter, in the *Ottumwa Courier*, October 19, 1936.

Wild turkeys raided corn cribs in 1867, in the *Monticello Express*, October 22, 1936.

Frank F. Phipps has longest residence in Cherokee County, in the *Cherokee Chief*, October 23, 1936.

Baker tavern is landmark in Delaware County, in the *Dubuque Telegraph-Herald*, October 21, 1936.

Reopening of old Tabor College recalls school's history, in the *Des Moines Register*, October 24, 1936.

Brown's Hotel was made famous in Bellevue War, in the *Bellevue Herald*, October 27, 1936.

Sketch of the life of R. M. Peet, in the *Cedar Rapids Gazette*, October 28, 1936.

History of Monticello, by Millington Carpenter, in the *Monticello Express*, October 29, 1936.

Dr. Knut Gjerset won international honors, in the *Des Moines Tribune*, October 29, 1936.

Early settlers of Carroll, in the *Carroll Herald*, November 2, 1936.

When Mormons buried Elizabeth Richards at Council Bluffs, in the *Council Bluffs Nonpareil*, November 3, 1936.

Pioneers were buried in the Parker cemetery in Scott County, in the *Davenport Democrat*, November 3, 1936.

HISTORICAL ACTIVITIES

In the October, 1936, issue of the *Indiana History Bulletin*, Elizabeth Shute gives an account of a trip over the old trail followed by William Henry Harrison and his army in 1811 on the way to the battle of Tippecanoe. The road has recently been marked by the WPA.

The Missouri Historical Society held a meeting at the Jefferson Memorial at St. Louis, on November 27, 1936. The speaker was Lee Merriwether and the subject was "Merriwether Lewis". A special exhibit of Lewis relics, bequeathed by the late Dr. Merriwether Lewis Anderson, were on display.

The home built by Hercules L. Dousman at Prairie du Chien in 1843 has been restored and presented to the city by the Dousman family. An *Illustrated Handbook of the Historic Home of Hercules L. Dousman* has been prepared by Mrs. E. B. Young of St. Paul, Minnesota, a granddaughter of Mr. Dousman, and her daughter, Mary Blake Young.

The thirty-seventh annual meeting of the Illinois State Historical Society was held at Peoria on May 15 and 16, 1936. It included a luncheon, an historical session, and a dinner on May 15th and a business meeting and luncheon on May 16th. The dinner program included a talk on the State park system by President James A. James and an illustrated address by Robert Kingery on "The State Parks and Illinois History".

IOWA

The Webster County Historical Society has made plans for public meetings and programs during the year 1936-1937.

The Lions Club of Sioux City is planning to establish an historical museum to care for Indian relics and other historical collections.

The Midwest Antiquarian Association of Dubuque is planning

for a new building to house the Columbia Museum containing the historical, art, and scientific collections of the society.

The one hundredth anniversary of the founding of Monticello was celebrated on October 14 and 15, 1936. An historical pageant and public exhibits of historical relics were features of the celebration.

The Marshall County Historical Society is building a log cabin in Riverview Park at Marshalltown to be used for a museum and meeting place. Among the donors were Fred L. Maytag (\$250) of Newton, whose parents lived in Jefferson Township, Marshall County, and Lacey Grey, who sent his contribution from Brussels, Belgium.

Members of the Jasper County Historical Society, at a meeting held at Newton on September 14, 1936, made plans to preserve the former Emerson Hough home located just west of the Emerson Hough school. John Cross, the president of the Society, was instructed to appoint a committee to investigate the possibilities of preserving the home.

The Union County Historical Society held a called meeting at Creston on August 8, 1936. The regular annual meeting was held at McKinley Park in Creston on September 10, 1936. The following officers were elected for 1937: A. E. Otis, president; C. L. Carter, vice president; Mrs. Frank Seeley, secretary-treasurer; T. G. Hamilton, curator; and W. G. Wilson, historian.

The annual meeting of the Wyoming Historical Society was held at Onslow on August 21, 1936. The subject of discussion was "Early Transportation", including reminiscences of the Iowa Central Airline Railroad and the Midland Railroad. The following officers were chosen for 1936-1937: Frank Tasker, president; Leota Wherry, secretary; and Mrs. Emma Aldon, treasurer.

A pageant entitled "On Wings Of Time" was presented at Tipton on August 12, 1936, by more than 175 persons. It represented the 100 years of Cedar County history. Displays of heirlooms were assembled in Floral Hall. The pageant, directed by Lorna D.

Bates, included the following episodes: Indian days, the coming of the white man, the first school, the first wedding, the founding of Tipton, the regulators, John Brown, the Underground Railroad, the Civil War, the Spanish American War, and the World War.

The series *Exploring the History of Iowa*, prepared by John Ely Briggs for a syndicate of Iowa newspapers, is now in the fourth year. The first unit for 1936 is "Early Forts" and includes Old Fort Madison, Old Fort Armstrong, Fort Crawford, the First Fort Des Moines, Fort Atkinson, Fort Croghan, Fort Sanford, Fort Dodge, and the Second Fort Des Moines. The second unit is "City Beginnings". In this series articles have appeared on Dubuque, Burlington, Iowa City, Des Moines, Sioux City, Davenport, and Council Bluffs.

The Pioneer Settlers' Association of Scott County and its auxiliary held their annual meeting at Davenport on August 26, 1936. William M. Chamberlin delivered an address on "The Pioneer and the Centennial". Dr. Peter Donaldson of Pleasant Valley was chosen president of the Pioneer Settlers' Association, Mrs. Melissa Benford, secretary, Miles Collins, vice president, and Mrs. Sylvia Oysler, assistant secretary. Frank S. Fidler was elected president of the auxiliary, William Chamberlin, vice president, Etta Gabbert, secretary, Mrs. Julia Stroeble, treasurer, and Edna Whitaker, historian.

A conference of about twenty midwest archaeologists was held at Mount Vernon on November 6 and 7, 1936. The meeting was under the sponsorship of Dr. Carl E. Guthe of the University of Michigan and Dr. Charles R. Keyes of Cornell College was the local host. The purpose of the meeting was the comparison and study of the various archaeological collections. The group included Ellison Orr, field supervisor of the Iowa archaeological survey and out of the State men from Illinois, Michigan, Oklahoma, Texas, Wisconsin, North Dakota, South Dakota, Nebraska, Washington, D. C., and Missouri.

A marker commemorating the one hundredth anniversary of Louisa County has been recently placed in a boulder located where the

county government had been initiated a century ago — at the corner of Fort and Main streets in Toolesboro. The project was begun by Robert Seth Curtis who made the suggestion and offered to provide the marker. On October 21, 1936, the marker was presented by Mr. Curtis to the county. A brief talk by Judge Oscar Hale and an address by Dr. Jacob A. Swisher of the State Historical Society staff were also on the program which was followed by an historical pageant.

The old settlers of Johnson County held their annual meeting at Iowa City on September 10, 1936. The chief address was delivered by Dr. Jacob A. Swisher, Research Associate of the State Historical Society of Iowa, who spoke on "The Spirit of the Pioneers". The following officers were elected for the ensuing year: L. O. Leonard, president; George Koser, vice president; O. A. Byington, secretary, and Emma Stover, treasurer. The association decided to appoint a committee to collect and preserve local historical materials and to mark historic sites. The members appointed were W. E. C. Foster, Emma Watkins, and Dr. T. L. Hazard. The first work of this committee was the marking of the site of the first Indian trading station in Pleasant Valley Township, Johnson County. This marker was dedicated on October 23, 1936.

THE STATE HISTORICAL SOCIETY OF IOWA

Dr. William J. Petersen, Research Associate of the State Historical Society of Iowa, spoke on "Centennials in Iowa History" at the pioneer day speakers' program at Council Bluffs on August 10, 1936.

Dr. Jacob A. Swisher, Research Associate of the State Historical Society, delivered an address on the pioneers at a meeting of the old settlers of Johnson County at Iowa City on September 10, 1936. On October 21st, Dr. Swisher gave an address at the dedication ceremonies of the memorial tablet placed on a boulder on a corner in the town of Toolesboro. On the 23rd of October Dr. Swisher spoke at the dedication of a marker commemorating the first Indian trading station in Johnson County.

The following persons have recently been elected to membership

in the Society: Mrs. John W. Leavitt, Cedar Falls, Iowa; Mrs. William Weber, Iowa City, Iowa; Mr. John D. Alden, Asbury Park, New Jersey; Mr. A. R. Bastian, Chugwater, Wyoming; Mrs. H. W. Clements, Cedar Rapids, Iowa; Mrs. Helen H. Fischer, Iowa City, Iowa; Miss Ethel M. Fitzsimons, Iowa City, Iowa; Mrs. Glenn Johnson, Cedar Rapids, Iowa; Miss Eleanore Kelley, Cedar Rapids, Iowa; Mr. E. E. Kugler, Plymouth, Iowa; Miss Blanche Miller, Parkersburg, Iowa; Mr. C. W. Price, Spirit Lake, Iowa; Mr. Lyle S. Shelmidine, Tacoma, Washington; Miss Cora I. Gund, Marcus, Iowa; President Earl Enyeart Harper, Indianola, Iowa; Mr. Addison Hickman, Iowa City, Iowa; Mr. M. Glen Kirkpatrick, Collingswood, New Jersey; Miss Luella M. Wright, Iowa City, Iowa; Mrs. Walter Bradley, Iowa City, Iowa; Mr. Harry G. Carl, Bennett, Iowa; Mr. F. I. Gardiner, Storm Lake, Iowa; Mr. Vernon C. Hoffman, Walker, Iowa; Mr. Oliver Murray, Davenport, Iowa; and Mr. Raymond J. Schlicher, Shannon City, Iowa.

The following persons have recently been enrolled as life members of the Society: Mr. Wayne G. Cook, Davenport, Iowa; Rev. Patrick N. McDermott, Atlantic, Iowa; Mrs. Frederick W. Weitz, Des Moines, Iowa; Mr. Otto F. Hanzlik, Cedar Rapids, Iowa; Mr. L. W. Powers, Denison Iowa; Mr. James E. Blythe, Mason City, Iowa; Mrs. James LeCron, Washington, D. C.; and Mr. Ben H. Wilson, Joliet, Illinois.

NOTES AND COMMENT

The town of Camanche celebrated its centennial anniversary on August 14 and 15, 1936.

Mrs. Erwin Schenk has written a pageant entitled "Iowa in the Making" for presentation at the Sylvan Theater in Greenwood Park, Des Moines.

The Iowa Library Association met at Des Moines on November 3, 4, 5, 1936, holding a joint meeting with the Iowa State Teachers Association on November 5th.

The old Colonel George Davenport house on Rock Island has been repaired and improved by the coöperation of Colonel A. G. Gillespie, Commandant at the Arsenal, and the Old Settlers' Association of Rock Island County (Illinois). The Arsenal furnished the labor and the Association the materials.

The old settlers of Dickinson County held their annual reunion at Gull Point State Park on August 21, 1936. Dr. A. W. Adson, whose boyhood home was near Terril, gave the principal address. C. W. Price was named chairman of the Old Settlers' Association for the ensuing year, Dick Sperbeck, vice chairman, and H. A. Welty of Spirit Lake, secretary.

Trinity parish of the Protestant Episcopal Church at Davenport has recently celebrated the one-hundredth anniversary of its founding. In honor of the event, a tablet honoring the Right Reverend Theodore N. Morrison placed on the north wall of the cathedral, was dedicated on October 11, 1936. The tablet was donated by Mrs. Helen H. Watzek.

The Black Hawk County Early Settlers' Association held its annual reunion at Hanna's Grove on August 29, 1936. An address in honor of the pioneers was delivered by the Reverend Albert Lyle Drake. E. L. Corton was elected president for the following year;

Dr. E. E. Peck, vice president; and Mrs. Elizabeth Sage, secretary-treasurer.

A permanent old settlers' association has been formed at Storm Lake under the name Old Timers. Will Cunningham was elected president, Grace Russell vice president, and Andrew Browne secretary-treasurer. The "Old Settlers' Day" for 1936 was celebrated on September 2nd and 3rd. F. F. Faville, a former Chief Justice of the Iowa Supreme Court, gave a reminiscient talk and Professor J. R. Fitzsimmons of the State Planning Board, talked of the possibility of improving the lake.

Nathan E. Kendall, a former Governor and Congressman from Iowa, died at his home in Des Moines, on November 4, 1936. Mr. Kendall, a native Iowan, was born near Greenville in Lucas County on March 17, 1868. As a young man he entered a law office in Albia and was admitted to the bar in 1887. He later served as city attorney of Albia for one term and as county attorney of Monroe County for two terms. He was a member of the Iowa House of Representatives from 1899 to 1909, and was speaker of the House in the Thirty-second General Assembly. During the 61st and 62nd sessions of Congress (1909-1913), he represented the Sixth Iowa Congressional District including Davis, Jasper, Keokuk, Mahaska, Monroe, Poweshiek, and Wapello counties. He was Governor of Iowa from 1921 to 1925. During his entire public career Governor Kendall was widely and favorably known as a public speaker. He spent much time in travel during the later years of his life.

Charles M. Dutcher, a member of the Board of Curators of the State Historical Society of Iowa for twenty-four years, died at Des Moines on November 17, 1936. Born at Humboldt, Kansas, on April 29, 1869, Mr. Dutcher came to Iowa City with his family in 1879 and made that place his home until his death. In 1894 he received the degree of Bachelor of Laws from the State University of Iowa and began the practice of law. He served one term as county attorney of Johnson County and one term as State Senator. He also had many interests outside his profession. In addition to his service on the Board of Curators of the Historical So-

ciety, he was for many years one of the trustees of the Iowa City Methodist Episcopal Church, served for six years as a member of the Iowa City school board, and was a member of the Rotary Club, a Mason, and a Shriner. For several years he was a lecturer in the University of Iowa on medical jurisprudence.

George W. Clarke, a former Governor of Iowa, died at his home in Adel, on November 28, 1936. He was born in Shelby County, Indiana, on October 24, 1852, and four years later came with his parents to Iowa, where he resided on a farm near Drakesville. He was educated at Oskaloosa College and the State University of Iowa, receiving the degrees of A. B. in 1877, and L. L. B. in 1878. Upon his admission to the bar he entered upon the practice of law at Adel. He became a member of the Iowa House of Representatives in 1900, serving for four terms. He was Speaker of the House from 1904 to 1907. Later he served two terms as Lieutenant Governor, and in 1913 became Governor of the State — serving in that office for four years. During the school year 1917-1918 Mr. Clarke served as Dean of the College of Law at Drake University. Subsequently he practiced law in Des Moines until his retirement in 1921. During his term of office as Governor, Mr. Clarke sponsored an elaborate capitol extension program. The stately appearance of the present State Capitol grounds is due in a large measure to his efforts.

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FREDERICK O. THOMPSON. Born in Des Moines, Iowa, on December 29, 1883. Graduated from Harvard College in 1907. Interested in hunting and paleobotany.

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CORRESPONDENCE BETWEEN JOHN GREENLEAF WHITTIER AND IOWA

Salem, the first Quaker settlement west of the Mississippi River, was founded in Henry County, Iowa, in 1835.¹ These Quaker founders, who were destined to bring honor to the Middle West, came to Iowa by way of Ohio and Indiana from the Carolinas, where their hatred for the institution of slavery made their life in the South unbearable. Almost immediately they built a meeting house and a school; they then turned to the cause of the slave just a few miles beyond their border.

In all these endeavors the Quakers in Salem had sympathetic neighbors in the Congregational settlement at Denmark, only a few miles to the east. The latter settlement was made by New Englanders who, here on the prairies, first learned to coöperate with and respect the Quakers whom their forefathers had persecuted and put to death. Their mutual hatred of slavery did this.

Each community early built an academy. The Denmark Academy perpetuated the Puritan curriculum, the Salem school that of George Fox and William Penn. The earliest school building in each instance was in the meeting house. As time passed, however, each community built its own school building and left the meeting house for the worship of God. The Salem academy and college are less widely known than the Denmark Academy but were equally important.

Exactly ten years after the founding of Salem — in 1845 — there had come to the Quaker settlement a New York

¹ An account of the Salem community, by the writer, was published in *The Palimpsest* for November, 1935.

educator by the name of Reuben Dorland. Born in 1816 of Quaker stock, Dorland was reared in the tradition of Fox and Penn. And this tradition demanded a thorough training of the mind as well as a steadfast spirit. After teaching in New York State for a time, Dorland was moved by Benjamin Lundy to cast his lot with the abolitionist Friends of Salem. In 1845 Dorland established the seminary which was called after his name. It flourished to a remarkable degree. In 1852 three hundred and thirty-five pupils were enrolled. Dorland's fame spread through the prairie settlements.

Dorland came under the spell of Bayard Taylor, who was greatly respected and widely read by the trans-Mississippi Quakers. As a friend of Whittier² and praised by him, Taylor's fame was fully established. The Salem group had read Whittier's review of Taylor's *Eldorado* in *The National Era* of 1850. Several of the Salem settlers determined to go to California to try their luck with the forty-niners and among these was Reuben Dorland, who went to seek a return of health. But the route to California was long and difficult; Dorland died and was buried at sea in 1852, the year his school was at the height of its influence.

When news of his death reached Salem, consternation fell upon the Salem community. Who should carry on the Academy? Dorland had not only founded the school, but actually built with his own money the stone building in which the Academy was housed. But the work continued in the fall, the assistant principal being promoted to Dorland's position. Then came the Civil War, and higher education had to wait until the war was over. The Monthly Meeting school was, however, continued throughout the bitter struggle.

² For the story of Whittier's interest in Iowa politics see the writer's article *Whittier and Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXXIV, pp. 115-143.

Soon after the close of the Civil War, the Iowa Quakers began to plan for a college to take the place of the Dorland Academy and a committee was appointed to consider the matter. The committee proposed the incorporation of a joint stock company and on May 17, 1867, the articles of incorporation were considered and adopted. The men whose names appeared on the incorporation papers were Isaac T. Gibson, John H. Pickering, Harvey Derbyshire, Henry Dorland, Erick Knudson, Amos McMillan, A. B. Marsh, and John M. Crosbie.

The college association made a request of the Salem Quarterly Meeting for the use of the brick meeting house as a school. The old meeting house was a spacious two-story building, the second story of which seemed almost ideal for school purposes. The Quarterly Meeting, after some discussion, approved the use of the second story of the building for a school, provided the school be conducted according to the religious principles of the Society of Friends. This was readily agreed to, and steps were taken to put the second story of the meeting house into shape for college quarters as soon as possible.

The articles of incorporation provided that the "Board of Directors shall consist of fifteen members, all of whom shall be members of the Society of Friends, five of whom shall be appointed by Salem Quarterly Meeting, the other two-thirds to be elected by the College Association." The first Board of Directors of the new college was constituted as follows: Isaac T. Gibson, John M. Crosbie, John H. Pickering, Jonathan Votaw, and Henry Dorland, appointed by the Quarterly Meeting; George Hartley, L. M. Pickering, James E. Bailey, Peter Hobson, Wheeler Davis, Samuel Comer, Enoch Beard, Erick Knudson, Matthew Trueblood, and Jonathan E. Pickering, elected by the Association.

From the beginning, the Board of Directors had debated the naming of the new college. Some thought it should be called Dorland College, in memory of the valiant work of Reuben Dorland, but the others were firmly convinced that the new college should be named for the poet whom everybody in Salem read and loved — John Greenleaf Whittier. Isaac T. Gibson was the leader in the cause of Whittier and soon won over the others to his side. Whittier was the outstanding Quaker of this time. Then, too, the Salem Friends were all opposed to slavery. Accordingly, they agreed, early in April, 1868, that the new institution should be named "Whittier College".

In the meantime the Friends of the New West had made an important experiment in journalism. In this they were true to the historic development of the Society, for in its early period the Society of Friends published more than any other similar organization. George Fox died in 1691, and the total number of Quaker publications published before 1725, a period of thirty-four years, has been estimated at from two and a half million to four million separate items. The tradition continued with the Quakers in the Middle West who, on January 31, 1868, published the first number of *The Herald of Peace* at Chicago.

The Salem Friends were interested in the new publication from the beginning. They subscribed for it and, as we shall presently see, wrote for it. They were also working for the new school at the same time, and the idea struck them that in this new paper they would be able to reach a sympathetic clientele. In April, accordingly, they sent off the following announcement:³

Whittier College

An Institution of learning with the above romantic name has

³ *The Herald of Peace*, fifth month 15th, 1868. For the quotations from *The Herald of Peace* the writer is indebted to Lydia Flagg Gummere, who kindly copied the material from the files of the paper.

recently been opened at Salem, Henry Co. Iowa. The following are the officers: John H. Pickering, President; Henry Dorland, Treasurer; Peter Hobson, Secretary. We extract from the Circular the following announcement.

The Whittier College Association was organized and incorporated to establish and maintain at Salem, Henry Co., Iowa, an Institution of learning with all the powers of an Academical character usually exercised by colleges, to be conducted according to the principles of the Society of Friends, and open alike to all who will conform to its rules and regulations.

The Board of Directors propose to open said Institution for students the 20th of Fourth month, 1868, Prof. John W. Woody, of South West Normal School, Lebanon, Ohio, as Principal, Mary C. Woody of Earlham College, Associate teacher, and aided by the necessary Assistants.

By securing the best instructors, the Association intends to supply a want that has been long felt among Friends in Iowa for a college of the first class.

Those students sufficiently advanced to study higher branches in a regular course will be accommodated.

Penmanship, Elocution, Reading, Spelling, and Essay Writing will be taught in all departments.

Students may enter the department at any stage of the course for which, upon examination, they may prove themselves prepared.

Price of Tuition.—Preparatory Department—First year, per term, \$5.00. Second year, per term, \$7.00. Collegiate Department, per term, \$8.50. Present season will close 10th of 7th month. Fall term commences 16th of 9th month and closes 23rd of 12th month. Winter term commences 29th of 12th month, and continues 14 weeks. One half of the tuition payable on entry—the remain [sic] due at the middle of the term. Applicants may address John M. Corsbie [sic] John H. Pickering or Isaac T. Gibson, at Salem, Iowa.

On June 15th, a second letter from Salem appeared in the *Herald of Peace*:

Salem, 5th month 15th, 1868

Eds. of Herald;

James E. Bailey, one of fourteen lecturers appointed by Iowa Yearly Meeting's Committee on Peace, delivered a very instructive

and interesting lecture on that subject, before the students and others, at Whittier College, on the afternoon of the 30th ult.

The startling facts advanced by the speaker were well calculated to awaken in every mind the awfulness of war. The peaceable and forgiving dispensation of our Savior was beautifully presented.

If the other lecturers are as deeply interested in the work, and laboring as earnestly in public meetings and schools, the cause of peace will certainly have many added to its ranks. We should like to hear from them through the *Herald*.

Whittier College is in successful operation, under the very acceptable and competent instructors Prof. J. W. Woody and Mary C. Woody. The quiet, temperate and secluded town of Salem, which has been for a quarter of a century a port for the fleeing freedmen of Missouri and was, about twenty years ago, invaded and occupied for a short time by an armed band of slave hunters, is certainly a fitting place to establish a College named from [sic] the Quaker Poet, who has so well and so long stood for the right. . . .

The name indicates the principles which the Faculty seek to instil in the minds of the students:

"The simple tasks, the kindly traits,
The tranquil air, the gentle speech,
The silence of the soul that waits
For more than man to teach."

The Library has about 200 volumes, but there is room on the shelves for several hundred more. Then there are cases for Philosophical, Chemical and Astronomical apparatus nearly vacant; and then a large bell is needed.

Who will help to enlarge the usefulness of this institution?

Both letters appeared in the *Herald of Peace* before John G. Whittier had been officially notified that the college had been given his name. Isaac T. Gibson had been selected to inform Whittier of the choice of the name. His letter,⁴ the first of a series of direct communications between Whittier and the Quakers who were interested in the college at Salem, was as follows:

⁴ The writer is indebted to the Reverend Ernest L. Gregory for this letter. It was printed in the *Salem News*, February 18, 1888.

Salem, Iowa, 6, 20, 1868.

John G. Whittier,
Amesbury, Mass.:

Dear Friend:—The enclosed articles of incorporation, and a slip cut from the “Herald of Peace”,⁵ will introduce to thy notice the name and object of an institution located in this place. Those who caused thy name to be associated therewith, not asking thy permission, perhaps acted out their feelings more fully than etiquette would sanction; but as that is past, and was done to express our high regard for thy character and the principle thou hast so long cherished and disseminated, we hope thou wilt pardon our western freedom. Please do not deny us the privilege of having thy face nicely engraved, from a suitable photograph, on our certificates of stock and scholarships which we propose having executed. Thou wilt greatly oblige the friends of the College with a favorable response.

Thy friend,
Isaac T. Gibson.

Gibson was by no means unknown to Whittier. It was he who had been instrumental in perfecting the Underground Railroad from the Missouri line through Denmark, where the New England Congregationalists had helped him, to the Mississippi. Whittier knew that no man, probably, had helped more slaves to freedom than had Gibson. Gibson’s own house had been one of the stations, and more than once he had risked his life in the cause of abolition. He had also constantly fought against sending to Washington any Iowa representatives who would defend slavery. No doubt Gibson knew that the apology of being “western” would amuse the poet.

Whittier’s reply came in a remarkably brief time, when we consider the postal service across the Mississippi in 1868. Gibson eagerly read and then reported to the trustees the following reply:

⁵ This was a clipping from *The Herald of Peace*, 5th month, 15th, 1868, announcing the opening of Whittier College.

Amesbury, Mass.,
6th Mo., 26th, 1868.

My Dear Friend — I hasten to answer thy note of the 20th. I trust I gratefully appreciate the kind estimation of my life and services which has given my name to the new literary institution, of which thou art secretary; and I beg leave, through thee, to thank the Friends of Salem Q. M. for their marked expression of good will and confidence. May a good Providence so order it that the College may prove of permanent usefulness; and that the bearer of its name may be preserved from any word or act which shall make the selection of that name a cause of regret.

Thine, very truly,

John G. Whittier.

P. S.—I enclose a vignette recently taken. The one in "Snow Bound" (not the illustrated edition) is regarded as very good. It was taken ten or eleven years ago, however.

This letter was received with genuine rejoicing in the village. During the preceding year all the money for the college had been raised by private donations and the proceeds from selling stock in the enterprise. Now contributions of money began to come. Whittier sent fifty dollars, as he was to do so often in later years.⁶ Soon the new college, now widely advertised as Whittier College, began to send out appeals for funds and for books. The preparation of the second story of the brick meeting house had been rapidly pushed forward in order that the school might be opened on May 20, 1868, with real assurance for its future success.

The teachers committee had in the meantime been searching for suitable teachers. All were agreed that John W. Woody was the one man to be the first principal. Mary Chawner Woody, his wife, was then chosen as co-principal and teacher of Latin and English literature. Mr. Woody, in addition to his work as principal, was also to teach Greek, mathematics, theory and practice of teaching, and

⁶ Jones's *The Quakers of Iowa*, p. 331.

school government. The third teacher to be chosen was Clarkson C. Pickett. He was to teach natural science and elocution. The fourth and last member of the faculty was Mira McConnell, who taught "common branches, penmanship and drawing."

One of the greatest needs of the college, however, was a library. This need was recognized by one of the most colorful figures Henry County, Iowa, was ever to produce. This man was Lorenzo Dow Lewelling, the youngest son of Quaker pioneers who came to Salem in 1837. His father, a Quaker minister, died suddenly in 1848 while away from home attending the Friends' Yearly Meeting in Indiana. The pioneer widow was left with six children to support. In her struggle she was aided, as is the goodly custom of the Friends, by those who knew the family. Not long after, however, she met an accidental death and the younger children went to the homes of relatives.

Lorenzo Lewelling lived for a time with his grandparents, attended a pioneer district school, and early showed signs of a love for letters. Like all the Salem Quakers, he hated slavery. At the outbreak of the Civil War, in spite of his Quaker background, he enlisted, but was promptly discharged because of his Quaker principles and his youth. He insisted, nevertheless, on doing something in the cause of freedom. Lewelling's story, important in itself, can not be told in this article, but the part dealing with his correspondence with Whittier belongs here.

After the war, Lewelling returned to Salem and entered Whittier College. He had read all of Whittier's writings he could find, along with those of Bayard Taylor. But Whittier was his favorite. He longed, as had Taylor before, to receive some word of praise from Whittier. One day he wrote Whittier about the need for books out in the prairie college. Soon this reply came:

Amesbury

30th 1 mo. 1869

Dear L D

I sent yesterday by Express — *Paid to Salem Iowa* — a small box of books for the Library of yr institution.

The great cost of transportation makes it desirable that you should have some place at Philad — or N. Y. where any donation of the kind could be left, & forwarded by some other means.

Thy friend

John G. Whittier.

This letter was received amid general rejoicing, and the minutes of the meeting of the College Board, held on February 5, 1869, record: "L. D. Lewelling now produced thirty-eight volumes of books presented by J. G. Whittier to the college library, which are gratefully accepted from him." The complete list of the first gift of books to the library by Whittier seems to be irretrievably lost, and almost all of the books were burned in the fire which destroyed the college building. One who has carried on an indefatigable search for a list of the books writes ⁷ that one woman had fortunately rescued from the Whittier College library a copy of *Paradise Lost* because it was one of the Whittier books and bore his signature. It was burned when her home was destroyed. She said that there were between fifty and seventy of the books. Others seemed to confirm this number vaguely. The only books she could recall by title were *Paradise Regained* and the *College Dictionary*, by J. G. Monroe. For sixteen years Whittier continued to send books as well as money to the college on the Iowa prairie.

Lewelling wanted to be a poet and, encouraged by his first letter to Whittier, he wrote a second letter enclosing

⁷ Letter from Mrs. James A. Devitt to the writer, dated October 26, 1936. Mrs. Devitt, a daughter of Governor L. D. Lewelling, and the writer are at work on a biography of Governor Lewelling in which the relationship between Whittier and Lewelling will receive detailed comment.

some of his poems and asking for criticism of them. The reply showed Whittier's continued interest in the college library, but no great enthusiasm for the young poet's work:

Amesbury 5 7 Mo 1869

Dear friend,

I am exceedingly sorry that the state of my health confines me mostly at home & makes it impossible for me to write anything of length. I really wish I *could* comply with your request.

I wish to make a little donation of Books to your Colege [sic], & wd like to know how they could be sent, & to whose care. I suppose, of course the Institution has, or is to have a library. I have a few valuable books which I would like to send.

I am very truly

Thy fd

John G. Whittier

The catalog of Whittier College for 1869-1870 records the fact that the college had four literary societies connected with the school. Two were sustained by the boys, one by the girls, and one by the boys and girls together. They were all in a prosperous condition, and received the special attention of the teachers. The college was proving to be what Whittier called it in his first letter to Isaac T. Gibson, "a literary institution".

In the literary societies Lewelling held first place, but he decided to teach. Soon after accepting a position as teacher in the reform school,⁸ he felt utterly discouraged, and turned again to Whittier for advice and counsel. In due time he received the following significant reply. This letter expresses Whittier's ideal of a life of service to humanity, rather than that of a secluded man of letters. It definitely turned the thought of Lewelling from poetry to politics, and eventually made the Iowan the first Populist Governor of Kansas.

⁸ This school was founded by the Quakers and later taken over by the State of Iowa.

Amesbury

25. 2nd mo 1870

Dear fd.

Thine has been rec^d. It furnishes another proof that we all have our trials, disappointments, & baffled aims. Nor is it any relief to feel that we ourselves directly or otherwise, are responsible for it. There is no man living who does not, in some way or other, need pity & sympathy.

As regards poetry, let me here say that to make it the end & aim of life seems to me an unprofitable endeavor. I do not undervalue a liter [sic] literary reputation; but *it* alone can do little towards making any one happy. A literary life has great temptations. I think the work thou art engaged in is higher & nobler than that of a popular writer. It is like that of the Divine Master — doing good. It is a position where a true & good man can accomplish much, for himself and for those entrusted to his care.

With kind wishes — I am very truly thy fd

John G. Whittier

It should not be forgotten in this connection that Whittier always pointed with pride to the fact that he was one of the first signers of the Anti-Slavery Declaration in 1833. Later in life he emphasized again and again that he regarded this work of the utmost importance, and had more satisfaction in having his name on the Anti-Slavery Declaration than on the title page of any of his published works.

This letter seems to have influenced Lewelling to give up the thought of letters as a career and he turned at first to journalism. In 1871 he was editing the *Salem Register*. The young editor invited Whittier to fulfill his long expressed wish to see the prairies of the West and the college which had been named for him. The correspondence has not been preserved, but Whittier expressed a desire to come to the first official commencement of the college, which was to be held on August 31, 1871. The *Salem Register* for Saturday, August 12, 1871, carried this important item: "It is rumored that J. G. Whittier will attend Commencement at Whittier College on the 31 inst."

The poet did not come, but the *Salem Register* on September 1, 1871, issued an "EXTRA" dealing with the first annual commencement of Whittier College and featuring an address on Whittier.

The files of the *Salem Register* during the two years that Lewelling edited it abound in references to and praise of Whittier. His every attitude is pointed out and commented on. For example, an editorial by Lewelling on June 17, 1871, on *Suffrage*, begins: "J. G. Whittier expresses himself perfectly willing that women should have the right of suffrage, but thinks it 'will not prove a remedy for all the ills of which she complains.' "

The Iowa Quakers were, like all Quakers, unusually liberal in their views of woman's rights. In advertising the course in "Business Education" the first published catalog of Whittier College reads: "Within the past few years woman's field of labor has been greatly enlarged. Many of the largest and most respectable business houses employ female clerks. No young lady need hesitate to prepare herself for business." It is worth noting that this Quaker community out on the prairie was taking the progressive view in regard to the place of women in public life.

Another heated argument in this period was the conflict of the developing branches of science as they were being taught in the new colleges with the religious views of the pioneers. The college was definitely religious, as the first catalog emphasizes: "On the first day of each week the students are expected to attend public worship, held in the college building, or such place as their parents or guardians may select, and to be present with the teachers each morning in the schoolroom during the devotional exercises. It is desired that they attend the mid-week meeting for worship, held in the building." Whittier College was truly religious, like the poet for whom it was named, but it was religious

with its mind as well as with its emotions. In a very real way it made concrete the religious attitude of Whittier himself, and did this purposely.

Another aspect of the new college was its interest in the practical, manual side of life's activity. The first catalog puts this succinctly: "Scholars studying philosophy and chemistry are made familiar with the use of apparatus by performing experiments with their own hands, under the instruction of a teacher." It is interesting to note that in the same year that Whittier College opened its doors, the new land-grant State Agricultural College, at Ames, began its career under its first President, Adonijah Welch.⁹ The first attempt of Whittier College to provide for the "experiments" was the acquisition at the end of the first year of a "library of two hundred volumes", and "one hundred dollars invested in apparatus."

At the close of the spring term in 1871, the first class of nine was graduated. Some of these nine later achieved places of influence and educational prominence. The members of the first graduating class were: James F. Clark, Addison Frazier, Rachel (Frazier) Clark, Enos P. Griffin, Julia A. (Garretson) Pratt, Jennie (Lester) Haskett, Ella (Pharr) Griffin, Benjamin Franklin Trueblood, and Annie E. Packer.

The faculty for the succeeding year, 1871-1872, included Annie E. Packer who had just graduated. She continued for many years as an influential educational leader. For the year 1872-1873 more changes in the faculty took place. Principal Woody and his wife retired, and C. C. Pickett and D. Sands Wright began work as co-principals. The

⁹ While material for this paper was being gathered, the writer attended the inauguration of the ninth president of the Iowa State College at Ames. The speakers at the inauguration defended the agricultural and technical college at length against the arguments of Aristotle and Plato, as well as against those of some modern educators.

latter had been called from Ohio, and after one year became principal of the college. A very clear picture of the life of the college is given in Principal D. Sands Wright's Diary.

An entry in October shows the strong appeal Whittier's interest in the college on the distant prairies had in the East. "Met Clarkson [C. Pickett] and Lewelling at the College, and held a consultation, as to the best methods of advertising the College. We decided to issue circulars, containing an engraving of Whittier and the name of the College, and on the other such statements on the other side as we think will pay."¹⁰ On November first, the College Board met and voted "to try to raise funds to build a new college building, in the north part of town, to cost not less than \$25,000". This bold venture was soon to make another demand on Whittier.

At the regular meeting on April 3, 1874, the finances seem to have been the order of the day. Principal Wright wrote in his Diary that night: "At the board meeting to-day, Henry Dorland read a letter from Jeremiah A. Grinnell, expressing the great interest he felt in Whittier College, and recommending that we employ Allen Jay as soliciting agent in the east. He says that sufficient funds is for us in the east to meet all our wants if we will but take the proper steps to secure it. The Board seemed enthusiastic over the letter." That the college depended on eastern contributors is everywhere apparent. And the East generously responded; we may be sure a word here and there from Whittier helped.

On June 10th Principal Wright mentions a "ride out in the country with L. D. Lewelling". He used the occasion to induce Lewelling to teach the following year in the college. On June 17th several of the students journeyed over

¹⁰ Diary of D. Sands Wright, entry for October 26, 1872. The writer is permitted to use this and the following citations from Mr. Wright's Diary through the kindness of Dr. Luella M. Wright.

to Mount Pleasant to attend the commencement exercises at Iowa Wesleyan University. On the return of the students they made certain comparisons, and Principal Wright notes: "Those students who attended the University Commencement yesterday, have a good deal to say about it today. . . . The comparisons made between the graduating class and Whittier classes is favorable to Whittier."

In the same month an entry notes that Levi Gregory (just graduated from Whittier College a few days before) "has answered an advertisement in the *Friends Review* for a teacher in a Friends' school at Vermillion Illinois." The name of Levi Gregory was later to have an honored and important place in the history of Iowa and also of California.

Levi Gregory¹¹ was born near Richland, Iowa, on January 4, 1850, and "grew to manhood and received his elementary education both in books and at the work-bench of his father who was a master craftsman in wood-work." When he had completed the work offered by the rural school he entered Whittier College at Salem. "Feeling the pinch of limited finances he crowded four years of college work into three, graduating with the class of 1874 with the Bachelor of Science degree . . . Following his graduation from college, he taught school for a few years in which he met with good success. Subsequent to this he spent seven years in mercantile business, pushing it with his accustomed vigor. . . . Converted at eighteen, he made public confession and profession of religion and entered manhood with mature convictions on the subject of Christian living." Such was Levi Gregory, probably an average student of Whittier College at this time. At a later time, Levi Gregory was to visit Whittier at his home in

¹¹ These biographical notes were furnished by the son of Levi Gregory, Rev. Ernest L. Gregory.

Amesbury and, telling him of his love for his namesake college, appeal to him for aid.

On November 21, 1874, the Board of Directors of the college held a special meeting to devise ways and means "to procure better facilities for the accommodation of the College. It was decided to employ Hannah Beard as soliciting agent". The college continued to grow and the winter of 1875 saw it so crowded that the solicitor had a good argument for the new building. On April 1st (1875) Principal Wright notes: "Had a long talk this evening with the soliciting agent of the college. She confidently hopes to raise two thousand dollars in a few days. She is very sanguine of succeeding. . . . She proposes to start east in a few days on a soliciting tour for money."

In May, 1875, Hannah Beard was in the east soliciting funds for Whittier College. In a letter to Elwood Ozbun, chairman of the finance committee, written from Philadelphia, she says she has "collected between five and six hundred dollars in that city."¹² The Philadelphia Friends early came to have an interest in Whittier College in the far west through the friendship of Whittier and Bayard Taylor.

Whittier was interested in the Iowa Quakers and readily made contacts in Philadelphia through Bayard Taylor and the Pennsylvania Quakers. He had not, however, made contacts for the school in New York City as he had in Philadelphia, and Hannah Beard, filled with misgivings, wrote that she feared "that her way will be blocked in New York in some way, and asks Elwood to write to Edward Tatum in hopes that it will open the way."¹³

It is interesting to note that in May, 1875, instruction was being given in astronomy in Whittier College. The early

¹² Diary of D. Sands Wright, entry of May 12, 1875.

¹³ Diary of D. Sands Wright, entry of May 12, 1875.

Iowa pioneers demonstrated a great zeal for this subject. As early as 1847, the Reverend Reuben Gaylord was making an investigation of Iowa meteors for his college back in New England. During the year 1875, too, there was renewed interest in the discussion concerning "infidelity". Not far away the Reverend Asa Turner, at Denmark, was using Timothy Dwight to check the inroads of unbelief; at Burlington, William Salter was doing the same thing.

On Saturday, October 9th, there was "a called meeting of the College Board. . . . Hannah Beard was present and made a short verbal report of her work in the East." If only that "verbal report" had been written down — her contacts with Bayard Taylor's group of Friends in Pennsylvania and with Whittier in New England. The trip was a financial success, for the "building Committee were authorized to proceed at once to let the contract for the remodelling of the college buildings". Wright's Diary for November 15th reports that a list of books to be added to the college library was completed. The list included Anthon's *Classical Dictionary*, Chamber's *Cyclopedia of Literature*, Rollin, Davis and Peck's *Dictionary of Mathematics*, and *The Spectator*. These books were purchased by money donated by C. C. Pickett.

At the close of the year, 1875, Principal Wright made a trip to Burlington to attend the meeting of the State Teachers' Association as the representative of Whittier College. While in Burlington, he stayed at the Scott House. On December 29th Phelps of Minnesota lectured on *American Education and American Citizenship*. On the whole, the meeting was "too completely cut and dried to permit of much animation in the discussion". On December 30th, Principal Wright returned to Salem to put the college building in shape for the resumption of work early in January.

In the spring of 1876 Principal Wright resigned to accept a position at the State Teachers College at Cedar Falls. His work had built up a college which was able to survive the vicissitudes of the times. High schools were coming, denominational colleges were multiplying, so that Iowa was coming to be called the Massachusetts of the West. The class of 1876, however, had but two members, B. A. Manley and Albert K. Trueblood.

In the beginning of the 1880's a combination of circumstances seemed to work against the college. A period of drought, which periodically visits the prairie States, left the southern part of Iowa with poor crops. The school seemed to be in danger. In spite of great discouragement, however, the college established a Department of Music in 1881. The financial problem, however, soon made the finance committee turn to Whittier and his eastern friends. B. T. Trueblood was chosen to present the matter once more to the aged poet in Amesbury. The only record extant of this journey to Whittier's home occurs in the Diary of D. S. Wright for April 1, 1881. Although Professor Wright had been for five years at the Teachers College at Cedar Falls, his interest in Whittier College continued and he corresponded with the teachers and friends of the college as this entry shows:

Fred Wahrer informs me by letter received today that B. T. Trueblood is in the East, soliciting funds for the endowment of Whittier College; that he had had an interview with Whittier who has given the scheme his full endorsement, and given him recommendations to a number of his wealthy friends in the East; and that Whittier has contributed \$100 himself. Fred writes that the spring term of the college has just opened with an attendance of 235 students.

Who were the friends to whom Whittier sent Trueblood? All these records are lost, but enough has been preserved to throw a new light on Whittier's interest in education in the

prairie college named for him. How much money he contributed to the support of the school can never be known. But enough is known to reveal the fact that Whittier was extremely generous, and that his interest in Iowa was very real. With the help of Whittier and his friends, the college continued to survive and to expand. All went well until 1885.

On December 4, 1885, at an early hour in the morning, a fire was discovered, and in a short time the college building was reduced to a heap of brick and ashes. Nothing was saved. The library given by John Greenleaf Whittier was destroyed with the exception of one book. The cabinet and apparatus over which Principal Wright had spent so many hours was gone. But in spite of this total loss of building and equipment, the Salem Quakers refused to give up hope. The college was not even closed. The teachers and pupils simply moved into the meeting house for the remainder of the school year. Before the heap of twisted wreckage was cold, the Board met and decided to rebuild. How was this to be done? The failure of crops stared them in the face. But the Quaker community set to work and before the winter of 1886 was over, the walls of the new building were rising above the ruin.

It will be recalled that the original articles of incorporation of Whittier College called for a board of directors consisting of fifteen members, all of whom should be Friends. In 1880 the articles had been changed to permit election to the Board of those of other religious affiliation. The principal of the college, however, must be a Friend. The policy of broadening the religious connections met with the approval of Whittier, who was now reaching the decline of his energy, but still retained his interest in the prairie college.

The matter of soliciting funds for the new college build-

ing presented a serious problem. Professor John Morgan began the general soliciting, assisted by John E. Mitchell, Nathan Cammack, and Levi Gregory. The *Salem News*, a flourishing newspaper in the early 1880's, furthered the work in every way. Contributions came in readily. The *Salem News* for February 18, 1888, reported "as near as can be ascertained, about one hundred and thirty persons have contributed, sums of from \$1 to \$300 beside different sums raised by hat collections".

The college also had the use of John B. Alden's library, containing 142 volumes.¹⁴ John Alden was born in Henry County and, although he became a successful publisher in New York City, he never lost touch with Salem. The Whittier catalog for the year 1888-1889 adds this in regard to Mr. Alden: "Since the burning of our Library, John B. Alden of New York has kindly added to the donations of many other friends, a fine revolving book-case filled with the best of books, making a choice library of several hundred volumes."

The new college building was formally opened on November 16, 1887, Professor A. J. Biddison was President, assisted by Annie E. Packer and Levi Gregory. The enrollment was ninety-six. The matter of financing the college continued to absorb the attention of its officers and friends. The aged poet in Amesbury kept in touch with the college and contributed money as appeals reached him. Not all the correspondence has yet come to light, but the following letters were probably typical of those received. Levi Gregory, who had labored within the bounds of the Salem Quarterly Meeting since his call to the ministry, kept Whittier in touch with his namesake college. In answer to an appeal, sent probably in December, 1887, Whittier wrote Gregory as follows:

¹⁴ *Salem News*, February 18, 1888.

1st. mo. 20, 1888.

Dear Friend:

I am glad to see that Whittier College has risen from the ashes and judging by the photograph in an improved condition.

I have had a great many calls made upon me of late and I am not in a condition just now to give substantial aid to the college but I hope in a few weeks to be able to send something.

I will write again soon. I am just getting over an illness which has confined me for some weeks.

Truly thy friend,

John G. Whittier.¹⁵

The officers and friends of the college knew that the usual gift would soon be forthcoming. Fortunately the letter with the gift has been preserved. It came the following month.

2nd. mo. 27, 1888.

Dear Friend

Enclosed find \$50 for the benefit of Whittier College.

I am not in a condition at this time to do more. I think the friends of the College have done nobly in rebuilding and they have my best wishes.

Thy friend,

John G. Whittier.

In 1892 Levi Gregory who had worked so untiringly in behalf of Whittier College at Salem became its president and soon after taking up his work sent out the following letter:

Three-fold Blessing

Our own observation and experience confirms the Bible teaching that our personal gifts and callings are not alike. Comparatively few are gifted as ministers of the Gospel, and these differ largely as to the measure of ability or talent. Yet no one is ready to think that only these few are all who have gifts. Certainly each one is gifted, and the measure of our gift, is surely the measure of our

¹⁵ The writer is indebted to Rev. Ernest L. Gregory for this letter and the one following.

responsibility. For all must account for the use of the talent entrusted to us. While we have always been careful to admonish those with ministerial gifts to be faithful, we should also be careful to rightly use other beautiful and great talents, bestowed by the same Omnipotent hand, among which, one of the most powerful, and which enables the possessor to do untold good, is the ability to gain or possess property. "Where little is given, little is required, and where much is given, much is required." And we might add, much blessing offered. While there are many demands, where to do "the greatest good to the greatest number" is doubtless the inquiry of many, perhaps no opportunity offers more far-reaching benefit, than to assist in building up Schools and Colleges. A little thought of the wide extent of blessing, that our older Schools are and have been, will surely convince any one, that it was under God's direction that the founders and benefactors gave the means that made these Schools the power for good that they are. Doubtless there are others whom the Lord has blessed with means, inquiring and looking for a worthy place to bestow that which is entrusted to them.

To such as these we would kindly ask a consideration of the needs and opportunities of WHITTIER COLLEGE. This institution — named in honor of the poet Whittier — has been a source of great good to hundreds of our young people. And excellent opportunities are now before us, but our ability is limited by our lack of means. Our pressing need, is means to pay the balance, of a few hundred dollars, on our new building, which was erected in place of the one destroyed by fire. As, elsewhere, there are within our reach worthy young people, who need and very much desire a higher education, but their circumstances will not admit it, to assist them would be a true charity. To meet these emergencies, we now offer a few BENEFIT SCHOLARSHIPS, as follows: For each FIFTY DOLLARS deposited in Whittier College, we issue a Scholarship to be returned with 20 per cent interest,—\$60 in all,—in half the tuition, of one student in Whittier College, at the regular terms and rates,—the student paying the other half of tuition. Thus a three-fold blessing is obtained, one to the College, helping us in our work, another to the student, enabling him or her to pursue studies that will prepare them for useful lives, and last but not least, as, "it is more blessed to give than to receive", the donor will be richly blessed.

For further particulars, address,

LEVI GREGORY, Salem, Iowa.

Note.— If, after prayerful consideration it does not appear right to assist us, please send or hand this letter to some one who might lend a hand.

Some time after the distribution of this letter Levi Gregory paid a visit to the home of Whittier¹⁶ and wrote out a hurried account of his visit in a notebook which he carried with him.

Mr. Gregory left Salem, Iowa, on October 16, 1891, to visit Whittier and other eastern Friends, to raise money for Whittier College. On the way to Amesbury he visited Friends in Chicago, Illinois, Buffalo and Batavia, New York, Boston and Lynn, Massachusetts, and arrived at Amesbury on November 2nd. He was cordially greeted at the door of Whittier's home, "shown into the parlor, and soon welcomed by John G. Whittier". Principal Gregory noted that Whittier seemed rather weak, but his voice was "very clear". He inquired at once about the college.

Gregory went on to tell of the Salem Friends and the other Quakers who helped support the college. The notes continue: "I spoke of my letters of introduction etc." Whittier replied by saying, "Let me see the one that covers the ground." Gregory gave him "the one from the business men and he went away and read it. On his return he said, 'It is a good letter.' " The notes report that at this point Whittier "asked many more questions and then invited me into his library where he read J. W. Palms and Senator Wilson's letters and expressed his satisfaction with them." Whittier then told Gregory of certain benefactions he was making. "Said he had given recently to the 'Freedmen in Alabama and Tennessee' and one or two other matters. That he did not have as much to give to me

¹⁶ The writer is indebted to Rev. Ernest L. Gregory for this account of his father's visit to Whittier's home.

as he would like to give. However he would do what he could. Then he turned and wrote a check for Fifty Dollars. I asked that perhaps he could say something that would help me with others. He said he didn't know that anything that he could say would do any good. Seemed to feel that his influence was small." Then Whittier added, "The letters thee has are good enough, they show how the matter is." The notes go on: "While in the parlor he asked, early in the talk, about what kind of a building we had. Was pleased to know that it was a substantial brick, asked about insurance on old building etc etc."

The notes of the visit continue: "Whittier is very unassuming, but conversant and interesting. We talked freely about the advance movement of the Church. He rather feared we were going *too fast*, but trusted that Friends were careful to seek the Lord's will. He especially referred to a tendency on the part of some to think that the Bible was all. He felt that the Bible would not be much without the Holy Spirit."

The conversation next took a turn inevitable since both Gregory and Whittier had the same interests at heart. Both had worked for justice for the Negro and for the Indian. "We talked about the Indians and Negros. 'How much we owe them.'"

Then they turned to a comparison of farming in the East and on the prairies. "We talked of the crops in the west and east. He (Whittier) said he had raised 50 bushels of corn on half an acre, but it cost all it was worth to do it." Those who know the stony soil of Amesbury and the fertile soil of Henry County, Iowa, can readily supply the eager questions of Whittier.

Now the conversation came back to Salem, so dear to Whittier's heart. "He asked how many Friends were in Salem. I told him about 500 in Salem Quarterly Meeting.

He was pleased that there were so many. He asked if only Friends attended the college. I answered that all and any could and did attend. That the majority were not Friends. He said he was glad that all could go, that is the right way." Whittier had been interested from the beginning that the school be not in any way limited to Friends. His generous catholic spirit showed here as in all his doings.

Gregory noticed by this time that the aged poet showed signs of fatigue, and he prepared to leave. His notes record: "As he showed signs of weariness I prepared to go. He will be 84 years old the 17th of December 1891.¹⁷ He said he was very glad that I had called, that he was glad to see and help the Lord's servant in every good work that they were engaged in, and hoped that I would be successful in my work. So I made him farewell and went to the depot to go to Lynn."

Gregory reached his home in Salem about the middle of December, 1891. He told of his visit with Whittier to the Salem people as he had told it to those whose aid he sought. Would that he had written out the part he used to relate in Salem and later in California whither in 1894 President Gregory moved.

As early as 1891 Friends who had founded the city of Whittier, California,¹⁸ founded a school also known as

¹⁷ Whittier died on September 7, 1892.

¹⁸ When he was informed that the town had been named for him, Whittier felt a deep sense of pleasure. With much feeling he wrote the following poem as an expression of his gratitude to the pioneers for giving his name to the California city:

The name my infant ear first heard
Breathed softly with a mother's kiss,
His mother's own, no tenderer word
My father spoke than this.

No child have I to bear it on,
Be thou its keeper. Let it take
From gifts well used and duty done
New beauty for thy sake.

Whittier Academy. These colonists made the same sacrifice for education that the earlier Friends had made in Salem, Iowa. In 1901 the institution was granted a charter and named Whittier College. On June 22, 1918, an oil portrait of Whittier was presented to the college by Evelyn Almond Withrow of Whittier. A contemporary newspaper report says: "The picture particularly brings out the strong facial characteristics of Whittier, his kindly, deep set eyes being most expressive. The presentation will be made by Rev. Levi Gregory of Friends' Church, Oakland, whose creed, in common with that of the poet, will allow him to make an especially interesting address."¹⁹

In this address Levi Gregory, friend of Whittier, Friend from Salem, united the old and the new. And the immortal poet, the champion of the rights of man joined together the East and the West. Unique among American writers, Whittier advanced with the pioneers to the very bounds of the West.

CHARLES ARTHUR HAWLEY

STATE UNIVERSITY OF IOWA
IOWA CITY IOWA

The fair ideals that outran
My halting footsteps, seek and find,
The faultless symmetry of man
The poise of heart and mind.

Yet, when did age transfer to youth
The hard earned lessons of to-day?
Each life must learn the taste of truth,
Each foot must feel its way.

Dear town for whom the flowers are born,
Stars shine and happy song birds sing,
What can my evening give to morn,
My winter to thy spring?

A life not void of pure intent,
With small desert of praise or blame,
The love I felt, the good I meant,
I leave thee with thy name.

¹⁹ This information concerning the presentation of the portrait was furnished by Rev. Ernest L. Gregory.

THE DES MOINES RIVER IMPROVEMENT PROJECT

The Des Moines River rises in Minnesota, and crosses into Iowa somewhat west of the center of the boundary line between the two States. It flows in a southeasterly direction across Iowa and empties into the Mississippi River at the southeastern corner of the State. About half way across Iowa the Raccoon River enters the Des Moines from the west, making what is known as the Raccoon Fork (now the site of the city of Des Moines).

In the days before the coming of the railroads, water transportation was an important factor in pioneer life, and it appeared that the Des Moines River might possibly become a main channel for the transportation of mid-western products. For the purpose of aiding the Territory or State of Iowa to improve the navigation of this river "from its mouth to the Raccoon Fork", Congress on August 8, 1846, made an extensive grant of land to the then Territory of Iowa.

This law provided that "one equal moiety, in alternate sections, of the public lands, in a strip five miles in width on each side of said river" be set aside for the improvement of the Des Moines River. It should be noted that although this law stated that the improvement in navigation was to extend from the mouth of the Des Moines "to the Raccoon Fork", it did not specifically limit the grant of land to that area: the grant might or might not extend northward along the river for many miles beyond the limit of the proposed improvement, as the interpreters of the law might decide.

The second section of the law provided that the land so granted should not be conveyed or disposed of by the Terri-

tory or the State except as the improvement of the river progressed. In the beginning the Territory was permitted to sell such an amount of land as would produce the sum of thirty thousand dollars, but sales were then to cease until one-half of this amount had been actually expended upon the improvement work. After this had been done, other sales might be made.¹

It was further provided in the law that the lands to be sold for this purpose were to be selected by an agent or agents appointed by the Governor with the approval of the Secretary of the Treasury of the United States. On this committee, Governor James Clarke appointed Jesse Williams, Josiah H. Bonney, and Robert Cock. They agreed to take the odd-numbered sections in the area specified by the law making the grant.

At this time the people of Iowa assumed that the grant embraced only the lands below the mouth of the Raccoon River, and Governor Clarke, in referring to the grant in his address before the Legislative Assembly in December, 1846, estimated that it would cover "upwards of three hundred thousand acres of the most fertile and valuable land in Iowa."

He stated, however, that at least two-thirds of the entire area donated (below the Raccoon Fork) was occupied and claimed by settlers, many of whom had entered the land with the expectation of being able to purchase their claims from the general government at the minimum price of \$1.25 per acre. The Governor was of the opinion that the grant of land to Iowa should not be permitted to place these settlers "in a worse condition in regard to their lands than they are at present, either by increasing the price or shortening the period allowed for payment". He expressed the belief that a special preëmption law should be passed by

¹ *United States Statutes at Large*, Vol. IX, Ch. 103, pp. 77, 78.

the Iowa legislature to allow such settlers to purchase their homes at \$1.25 per acre.²

This part of the Governor's message was referred by the Senate to the Committee on Internal Improvements to consider whether it was advisable for Iowa to accept the grant, and if so, to devise the method of disposing of the lands and to select a plan for improving the river. Prior to this date (in September, 1841) Congress had granted to Iowa 500,000 acres of land for internal improvements. The committee, of which Senator James Davis of Wapello County was chairman, made its report on January 12, 1847. In this report it asserted that these grants did not conflict or overlap. In order to make this matter clear, however, a resolution was adopted by the General Assembly accepting the grant of 1846 with the proviso that the grant of land contemplated "does not form a part or come out of the five hundred thousand acres to which the State of Iowa is entitled, upon her entrance into the Union, by virtue of the act of Congress of 1841". This proviso did not involve any difficulties, since it was the clear intention of Congress that the two grants should be separate and distinct.

In February of the following year (after Iowa had become a State) the General Assembly passed an act creating a Board of Public Works to carry forward the Des Moines River improvement program. The law provided that this Board, which was to be elected by the people, should consist of a President, Secretary, and Treasurer. It also provided that the Board should have power to appoint a chief engineer and such assistants as might be necessary, and to take all other steps for the effective prosecution of the work and for the preservation and care of the improvements as fast as they were completed.³

² The second annual message of Governor James Clarke, December 2, 1846, in the *Journal of the Senate*, 1846-1847, pp. 17, 18.

³ *Laws of Iowa*, 1846-1847, pp. 165-170, 191, 192.

One who now reads the laws and resolutions passed by Congress and by the General Assembly of Iowa relative to the project to improve the navigability of the Des Moines River would scarcely expect the legal complications which followed. It soon developed, however, that the original measure passed by Congress in 1846 contained the germs of a controversy which was destined to remain in the courts for many years and involve the expenditure of vast sums of money, all without any permanent public benefit.

The Senate committee to which Governor Clarke's message was referred, also advanced the claim that the grant made by Congress was much larger than had formerly been supposed. The grant of an equal moiety "on each side of said river" should be interpreted, the committee claimed, as meaning the land along the river for the entire distance traversed by the river within the limits of the State.

Under this interpretation of the act, it was estimated that the lands granted below the Raccoon Fork included at least 400,000 acres and those along the Des Moines River above the mouth of the Raccoon constituted an additional area of some 560,000 acres. This entire area, if sold at the minimum price of \$1.25 per acre, would yield approximately \$1,200,000. This amount, the committee estimated, would more than pay the expense of the whole improvement program. This report was at first looked upon as visionary. A matter of so much importance was not to be passed over lightly, however, and men in public affairs at once began to speculate upon the true meaning of the statute of 1846, and to estimate the extent of the grant given by Congress.⁴

Soon the question of improving the Des Moines River became a political issue, and political parties began to contend for party control of the Board of Public Works. In

⁴ Report of the committee in the *Journal of the Senate*, 1846-1847, pp. 97-104; *Annals of Iowa* (First Series), Vol. XI, p. 483; Resolution No. II, in *Laws of Iowa*, 1846-1847, p. 191.

April, 1847, the Democratic State Central Committee gave notice of a convention to be held at Bloomington (now Muscatine) for the purpose of nominating candidates for members of the Board of Public Works. This notice called attention to the fact that these officers would be entrusted with the disposal of more than a million acres of valuable land in Iowa, and with the application of the proceeds derived from the sale of lands to the construction of very extensive and important internal improvements. It also contained the statement that these offices "should be filled by honest and competent men, of correct principles", and suggested the desirability of unity of action among members of the Democratic party to secure such men.

The editor of *The Iowa Standard*, a leading Whig advocate, in an editorial on April 21st, endorsed the idea that "honest and competent" men should be selected, but thought that they should not be taken "exclusively from the loco foco ranks". Members of the Democratic committee, he said, "know that there are just as many honest and competent men, and of correct principles too, in the Whig ranks as there are in their own. But this is not what they are after. Their object is to prevent, by a union of party strength, the possible election of any honest or competent Whig. That's the English of it." The editor further expressed the view that the selection of such officials should not be a partisan matter, but that men of experience and common sense should be selected regardless of party affiliation. He thought that the Board should consist of a group of civil engineers rather than a number of "brawling politicians".

A few weeks later the same editor again called attention to the importance of the impending election. "We had no wish", he said, "to see a party contest for the Board of Public Works. But the locofocos would have it so, and they

must take the consequences. If they are badly whipped with their own weapons, they must not blame us, we did our duty, and admonished them not to hold a grand State caucus to dictate to 'the democracy'."

The Democrats did not heed the advice of the opposition but nominated Hugh W. Sample for President of the Board of Public Works, Charles Corkery for Secretary, and Paul Brattain for Treasurer. To oppose this ticket the Whigs presented the names of George Wilson, Madison Dagger, and Piera B. Fagan. All the candidates appear to have been men of ability and integrity, but not specially qualified for the work. Accordingly, the contest resolved itself into a test of strength between the two political parties.⁵

At the election in the fall of 1847 it became apparent that the Whig warning that the Democrats might be "whipped with their own weapons" was not well founded, for the Democratic candidates — Sample, Corkery, and Brattain — were elected by a substantial majority. Soon after the election, the Board of Public Works selected Samuel R. Curtis of Ohio as chief engineer and the work of making surveys along the Des Moines River was begun.

A plat of the survey filed with the Board in 1849 showed that the total distance from Fort Des Moines to the mouth of the Nassau Slough — the point at which the Des Moines River empties into the Mississippi — was a little more than two hundred and four miles. Plans were made to dig a canal at the mouth of the river from Nassau Slough to St. Francisville, Missouri, a distance of about twelve miles. A total fall of three hundred and nine feet was found to exist between the mouth of the Raccoon River and the mouth of the Des Moines. The plan adopted called for twenty-eight dams, nine additional locks, and several canals. The first dam was at St. Francisville, Missouri. Dam number two

⁵ *The Iowa Standard* (Iowa City), April 21, June 16, June 30, 1847.

was located at Cowpens' Mill near the line between ranges seven and eight, and number three was at Thom's Mill near Athens, Missouri. Number four was a half-mile above the site of Farmington, number five at Bonaparte, number six at Bentonsport, and number seven at Keosauqua. Number eight was at "Powel's", near Kilbourn, number nine at Portland, and number ten at "Jordon", one mile above Iowaville. The first seven dams with their locks were completed and put into operation, and considerable work was done on dams numbered eight, nine, and ten. Little or no work was done in connection with the other dams, but their locations were designated.

Dam number eleven was to be located at Kalesback near Eldon, number twelve at Rowlands near Cliffland, and number thirteen at the mouth of Sugar Creek, two miles below Ottumwa. Number fourteen was just above Ottumwa where a canal was planned to shorten the channel. Number fifteen was three miles below Chillicothe, number sixteen also near Chillicothe, number seventeen three miles below Eddyville, number eighteen two miles above Eddyville, and number nineteen at Rocky Ripple west of Givin. Number twenty was at Talley's Ford, where a canal was to lead across a large bend thus shortening the channel. Number twenty-one was to be half a mile above the mouth of English Creek, number twenty-two at Amsterdam, southwest of Pella, number twenty-three at the mouth of Whitebreast Creek where another canal was planned to shorten the route. Number twenty-four was just below Red Rock, now Dunreath, and number twenty-five at Bennington near Swan. Number twenty-six was at Lafayette, and number twenty-seven at Dudley southwest of Adelphi. Number twenty-eight, near Levy, was to raise the water to the Raccoon Fork.

Prior to the date of this survey little was known of the

resources of the valley of the Des Moines River above the Raccoon Fork. During the year 1848, however, a geological survey of this region was made and a very favorable report was presented. A. Randall, of the United States Geological Corps, spoke in the highest terms of the beauty, agricultural capacity, and mineral resources of the region surveyed. Coal, he said, was found for two hundred miles along the Des Moines River. He referred also to the iron ore, gypsum, limestone, clay, and building stone — all of which he valued very highly. Mr. Curtis likewise took a very optimistic view of the situation and declared that the valley drained by the Des Moines was “exceedingly fertile and very extensive” — that no other country offered better opportunities for manufacturing, and no other country could produce more agricultural wealth. Taking all things into consideration, he said, it was “mathematically certain” that the Des Moines River could be made a great thoroughfare for the transportation of mid-western products.⁶

The glowing reports of the country and the advantages to be gained by improving the river stimulated a greater interest in the project, and brought about a popular demand for securing as much land as possible for the work. A request was accordingly made of the General Land Office that an interpretation be given relative to the extent of the grant intended by the law of 1846.

In reply to this request Richard M. Young, Commissioner of the General Land Office, rendered an opinion on February 23, 1848, in which he declared that the grant included “alternate sections within five miles of the Des Moines river throughout the whole extent of that river, within the limits of Iowa”. This decision indicated that approxi-

⁶ *Annals of Iowa* (First Series), Vol. XI, p. 485; *Annals of Iowa* (Third Series), Vol. VIII, pp. 392, 393; *Journal of the Senate*, 1848-1849, pp. 337-397, at 345, 348, 390, 397.

mately a million acres of land would be received by the State through this grant. Encouraged by this report, the Iowa Board of Public Works made preparation to push forward the work for the improvement of navigation, and the public mind throughout the State was exhilarated with the hope of speedily realizing the advantages of improved facilities of waterway transportation.

The trend of events soon proved, however, that these hopes were not well founded. Despite the fact that he had expressed the view that the grant extended northward to the State boundary, Commissioner Young a few months later (on June 19th, 1848) advertised a part of these lands for sale by the United States. Attempts were made to secure a reversal of this order and to have the lands withdrawn from the market, but the attempts failed and sales of lands above the Raccoon Fork amounting to more than 25,000 acres were made to individuals by the United States government in the summer of 1848, thus complicating the problems of the Board of Public Works, and rendering more uncertain the true meaning of the act of 1846.

Meanwhile, sales of land were being made by the Iowa Board of Public Works, and contracts were being carried forward in connection with the river improvement program. The report of Treasurer Paul Brattain, under date of December 1, 1848, showed that money to the extent of \$50,151.65 had been received from the sale of lands. The sum of \$34,996.07 had been paid out for river improvement contracts and salaries, and there was a balance of \$15,155.58 in the treasury.⁷

It soon became apparent that lands could not be sold fast enough to meet the expenses of the work that had been undertaken. To meet this situation, the Board of Public

⁷ *Journal of the Senate*, 1848-1849, pp. 349, 366, 1850-1851, Appendix, pp. 43-46; *Annals of Iowa* (First Series), Vol. XI, pp. 486, 487.

Works recommended to the General Assembly that bonds be issued pledging as a guarantee of payment the proceeds to be derived from the sale of lands and the tolls to be received from the completed improvement. A measure providing for the issuing of such bonds was introduced in the State Senate on January 12, 1849, by Senator Barney Royston of Wapello County. This measure was opposed by leading Democrats of the State as being "anti-democratic" and "impolitic". Ver Planck Van Antwerp, who had been receiver at the land office at Fairfield, made a trip to Iowa City to lobby against the bill. The measure was defeated in the Senate by a vote of 4 to 9.

On January 15, 1849, two days after the defeat of this measure, the General Assembly passed another bill which provided for the reorganization of the Board of Public Works, and for the election of new officers at the ensuing August election. This law also provided that persons who had settled upon claims within the limits of the lands granted by Congress, and had made improvements on such claims in accordance with the law should "have the right to pre-empt said claim, not exceeding three hundred and twenty acres, at any time before said claim is offered at public sale, at one dollar and twenty-five cents per acre".⁸

In the election of 1849 the men who had served as members of the Board of Public Works sought to be continued in office, and hoped that they might be renominated at the Democratic State Convention. Persons who were in favor of issuing bonds for the speedy completion of the work were in favor of the reelection of incumbents in office, while those who opposed this measure preferred a change of officers. Among those who opposed the incumbents no one was more active than Ver Planck Van Antwerp.

⁸ *Annals of Iowa* (First Series), Vol. XI, p. 486; *Journal of the Senate*, 1848-1849, pp. 227, 244, 360, 361; *Laws of Iowa*, 1848-1849, Ch. 85.

When the Democratic State Convention met in Iowa City to nominate officers, Mr. Van Antwerp prepared a criticism of Hugh W. Sample's political activities. He had hand bills printed and on the morning of the convention copies were circulated throughout the city and presented to each of the delegates. As a result of this propaganda, Mr. Sample and his associates were defeated; William Patterson of Lee County, Jesse Williams of Johnson County, and George Gillaspay of Wapello County were nominated as members of the new Board of Public Works and later elected.⁹

The official reports show that on November 28, 1850, lands to the extent of 169,153.27 acres lying within the grant below the Racoon Fork had been sold for the sum of \$211,563.58. At that time it had been officially reported that the entire grant below the Racoon Fork included 321,868.33 acres. Thus 152,715.06 acres remained unsold. This land, if sold at \$1.25 per acre, would yield \$190,393.83.

It will be recalled that on February 23, 1848, Richard M. Young, Commissioner of the General Land Office, had assured the Iowa Board of Public Works that the grant extended northward to the State line, but that, despite this fact, in June of the same year, about 25,000 acres of this land had been sold by the Federal government. The Iowa Board of Public Works remonstrated and the matter was referred to Robert J. Walker, Secretary of the United States Treasury, who issued a ruling on March 2, 1849, that the land grant extended from the mouth of the river to its source. This decision was communicated to the General Land Office, and with this decision in mind the Board of Public Works laid plans for pushing forward the work of construction.

In November, 1849, the newly elected Board — Patterson,

⁹ *Annals of Iowa* (First Series), Vol. XI, pp. 487, 488.

Williams, and Gillaspay — acting through Augustus Caesar Dodge and George W. Jones, the United States Senators from Iowa, made application to the Commissioner of the General Land Office for a confirmed list of lands belonging to the grant above the Raccoon, so that settlers might purchase their claims in accordance with the State law, the other lands might be offered for sale, and the Board might secure the necessary funds with which to carry on the building program.¹⁰

In response to this request, J. Butterfield, the new Commissioner of the Land Office, replied on December 19, 1849, that the list requested "is now in course of preparation, and will be ready for transmission at an early day". The promised list, however, was never received. Subsequently, a letter from the Secretary of the Board of Public Works to the Department of the Interior¹¹ (to which the General Land Office had been transferred in 1849) called attention to the sales made in this region by the Federal government in 1848. The Interior Department replied that the Commissioner of the General Land Office had disregarded the decision of the former Secretary of the Treasury made on March 2, 1849, and had decided that the lands had been legally sold by the United States. An appeal was made to the Secretary of the Interior, who replied that his office agreed with the Commissioner of the Land Office and not

¹⁰ *Journal of the Senate*, 1850-1851, Appendix, pp. 43-66.

¹¹ The General Land Office was established as a part of the Treasury Department in 1812. In 1836 the Land Office was reorganized but left under the Treasury Department. By an act of February 12, 1849, the Interior Department was established, and the General Land Office was transferred to this new department. This change in organization explains why the Iowa grant was considered first by the Treasury Department and later by the Interior Department. It should be noted, however, that when Secretary Walker made his report on March 2, 1849, the law transferring the General Land Office to the Interior Department had already passed Congress.—Short's *The Development of National Administrative Organization in the United States*, pp. 148, 149, 212.

with the ruling of the former Secretary of the Treasury, and that the grant in fact extended only to the Raccoon Fork.¹²

This adverse ruling, coming as it did at a time when the Board of Public Works was looking forward to the time when the land in question should be sold to furnish funds for carrying forward the building program, was indeed a grave disappointment. A large number of the contractors had already commenced work with renewed vigor and with largely augmented forces, hoping to complete their contracts.

Sorely disappointed at the ruling of the Secretary of the Interior, the Board on April 14, 1850, appealed the matter directly to President Zachary Taylor through the Iowa members of Congress. The President "with a promptness that evinced every disposition to do justice to the State in the premises", immediately referred the whole matter to Reverdy Johnson, the Attorney General of the United States, who under date of the 19th of July gave an opinion in which he "fully and triumphantly" sustained the decision of Secretary of the Treasury Walker of March 2, 1849, in which it was held that the grant extended to the source of the river. Under normal conditions this decision doubtless would have been approved by the President and the matter might have been settled, but in the meantime, on July 9, 1850, President Taylor died, and the land grant settlement was again held in abeyance.

Members of the Board of Public Works thought it reasonable to expect that matters would eventually be adjusted and that the larger grant would be allowed. As the funds were exhausted, however, they thought it wise to suspend operation on the improvement already under way from St. Francisville to the mouth of the river — a distance of about

¹² *Journal of the Senate*, 1850-1851, Appendix, pp. 45, 60-64.

twelve miles — until such time as proper adjustments could be made.

A checking of accounts on May 13, 1849, showed that an indebtedness of \$30,000 had accumulated on building contracts and that there was only \$10,000 in the treasury — a deficit of \$20,000. For the accommodation of the contractors at work upon that portion of the project, the President of the Board of Public Works issued certificates certifying the amounts due and payable out of the first receipts in the treasury. These certificates were negotiable and enabled the contractors to transfer their claims upon the State to their creditors. These certificates were, however, issued without legislative authority. Indeed, the former Board of Public Works had asked permission of the General Assembly to issue bonds and this request had been denied.

When the General Assembly convened on December 2, 1850, a request was presented that the legislature memorialize Congress to allow the proper authorities of the State to select other lands in lieu of those sold by the United States above the Racoon Fork. It was claimed that such sales were not properly made and that Congress would doubtless make a proper adjustment. Those interested in the improvement of navigation on the Des Moines contended, moreover, that since the lands were located in the area that would be directly benefited by the river improvement and had increased in value from five to ten dollars per acre, the increased value and not the equivalent number of acres should be considered as a basis of settlement. Early in the legislative session a resolution was passed urging the Iowa members of Congress to seek a settlement on this basis, but apparently nothing resulted from this action.¹³

¹³ *Journal of the Senate*, 1850-1851, pp. 33, 34, 44, 55, Appendix, 45-49; *Laws of Iowa*, 1850-1851, Resolution No. 1, p. 235.

When the reorganized Board of Public Works came into power in 1849 the services of Chief Engineer Samuel R. Curtis had been dispensed with, and Guy Wells had been employed as chief engineer. In November, 1850, Mr. Wells submitted a report which showed a total estimated cost somewhat different from that given by Mr. Curtis. This report showed that work on the canal at St. Francisville to the amount of \$138,848.42 had already been done. It was estimated that \$136,740.71 would be required to finish the canal, thus making a total expenditure of \$275,589.13. Mr. Curtis had estimated that the uncompleted work could be done for \$125,987.11. The figures of Mr. Curtis had been based upon estimates of costs, while those of Mr. Wells had been based upon actual costs after contracts had been entered into and in part fulfilled.¹⁴

In addition to the increased cost estimates and the decrease in the amount of funds that the Board had considered would be available, other complicating factors arose. The "extraordinary and destructive freshets" which occurred during the spring of 1849 occasioned considerable destruction to the work on the canal. Moreover, the prevalence of cholera along the river caused considerable delay in the work, and increased the price of labor from 50 to 75 per cent.

These conditions had induced several contractors to ask that they be permitted to relinquish their contracts, "while others asked and contended for the allowance of large damages by the destruction of embankments". It was apparent that some advancement of funds would be necessary and that some adjustments would have to be made to prevent the abandonment of the contracts. Any relinquishment of contracts and a reletting of them would be especially unfortunate for the State in view of the rising prices.

¹⁴ *Journal of the Senate*, 1850-1851, Appendix, pp. 48-50, 70-78.

Under these circumstances a variety of alterations were made in the contracts. In some cases fifty cents per perch was added to the price of masonry, damages were allowed for timbers swept away and injuries done by the flood, and the contract price for materials was increased. In several instances contracts were abandoned and it was necessary to re-let the work at an increased price. Damages were also allowed to owners of mills because they had been forced to suspend operations during a considerable period of time while dams were being constructed. Valuable water rights, extending over a long period of years, were sometimes given in lieu of damages.

In this difficult situation, the Board of Public Works, hard pressed for immediate funds, considered a plan of borrowing on the unsold lands, but it was estimated that if a loan of one dollar an acre could be obtained there would still be a deficit. Estimates were then made of the returns to be obtained from rents and tolls if the improvement could be completed as far as Ottumwa. But these estimates it was realized were more or less speculative and would have to be authorized by the General Assembly. Indeed, the General Assembly itself was restricted in this matter by the constitutional limitations on indebtedness.

Casting about for a way out, the Board called the attention of the General Assembly to the fact that the States of Indiana and Illinois had undertaken similar improvement projects, and had given them over to companies of capitalists to complete. Under such a plan the work might be successfully carried forward, and the State might reserve the right to redeem the entire project at some later date when funds became available.¹⁵

The issuance of certificates by the Board of Public Works and the other plans proposed by its members did not

¹⁵ *Journal of the Senate*, 1850-1851, Appendix, pp. 49-53.

meet the approval of the members of the General Assembly, and on February 5, 1851, a law was passed which abolished the offices of President, Secretary, and Treasurer of the Board, and provided for a Commissioner and a Register of the Des Moines River Improvement, to be appointed by the Governor with the consent of the Senate. As soon as this law became operative, Governor Stephen Hempstead appointed Ver Planck Van Antwerp Commissioner of the Des Moines River Improvement and George Gillaspay Register.

A few months after these men came into office they entered into a contract with Bangs Brothers and Company of New York in which the company agreed to take over the entire improvement project. In this contract it was stipulated that the work should be completed from the mouth of the Des Moines River to Fort Des Moines, within four years "from the time when the lands above the Raccoon Forks are secured".

Negotiations were again opened with the Federal government relative to a settlement of the controversy over the extent of the grant of 1846. As a result of this negotiation Alexander H. H. Stuart, Secretary of the Interior, on October 29, 1851, rendered the opinion that the State should have title to the lands along the river above the Raccoon Fork, except such lands as had already been sold — that is, the 25,000 acres sold by the Federal government in 1848.

This opinion automatically fixed October 29, 1855, as the date for the expiration of the Bangs contract (four years from the date the land titles were confirmed). The signing of the contract with Bangs Brothers and the favorable opinion of the Secretary of the Interior gave renewed hope of a final completion of the improvement and for a time there was great rejoicing. It was soon learned, however, that the Bangs contract provided that the lands below the Raccoon Fork should not be sold for less than two dollars

per acre, and those above the Fork should not be sold for less than five dollars.

This gave rise to great dissatisfaction, for much of the land was occupied by claimants who expected to buy their claims at one dollar and twenty-five cents per acre. Public meetings were held to protest against the terms of the contract, and there was apprehension of serious difficulties, if this part of the contract were enforced. When popular excitement was at its height, news came that Bangs Brothers and Company had failed and that the contract would probably be of no effect.¹⁶

On January 19, 1853, the Iowa General Assembly passed a law which authorized the Commissioner and Register to sell lands not already disposed of, in order to carry forward the work of improvement. It is to be noted, however, that this law provided that no contract of sale should be considered as legal and binding upon the State unless it were "signed by the commissioner, and countersigned by the register, and approved by the Governor". This provision later came to have a significant bearing upon the adjustment of the Des Moines River Improvement affairs.

The officers of the River Improvement were appointed for only two years. At the expiration of their term of office, Mr. Van Antwerp was reappointed Commissioner and Paul C. Jefferson was named Register. This appointment was of brief duration, however, for on January 24, 1853, the General Assembly passed a measure which repealed the former law relative to the appointment of these officers and provided that a commissioner and register of the "Desmoines River Improvement" should be popularly elected at the April election. George G. Wright and Uriah Briggs were, however, named in the act as assistants "with equal

¹⁶ *Journal of the Senate*, 1852-1853, Appendix, pp. 29-89; *Laws of Iowa*, 1850-1851, Ch. 58; *Annals of Iowa* (First Series), Vol. XI, pp. 489, 490.

power of the commissioner in making and determining such contract".¹⁷ An election was accordingly held on the first Monday of April, and Josiah H. Bonney, of Van Buren County, was elected Commissioner to conduct the work and conclude any contract relative to improving the navigation of the Des Moines.

The legislature, profiting from past experiences, deemed it advisable not to parcel out work to a large number of individuals. The law stipulated, therefore, that the officials should not make a contract which did not provide that at least thirteen hundred thousand dollars (\$1,300,000) be faithfully expended in the payment of the debts and liabilities of the improvement project and to provide for its rapid completion. To this end the commissioners were authorized "to sell, and dispose of all and any lands" which had been or thereafter might be granted by Congress. The lands were not to be sold, however, for less than one dollar and twenty-five cents per acre. If no contract could be entered into before September 1, 1853, work on the improvement, except as already contracted for, should cease until further legislative action. With these directions from the legislature, the commissioner dismissed from service all engineers except Mr. Wells, and began to seek for persons with whom large contracts could be made.

By extensive correspondence the Commissioner and his associates succeeded in getting the attention of a considerable number of eastern capitalists who came to Iowa for the purpose of investigating opportunities of investment. Among others who came for this purpose was Henry O'Reilly, a New York contractor of wide experience. On the 17th of December, 1853, Mr. O'Reilly entered into a contract with the Commissioner and his assistants, in

¹⁷ *Annals of Iowa* (First Series), Vol. XI, pp. 488-491; *Laws of Iowa*, 1852-1853, Chs. 32, 103.

which, for a consideration of the unsold lands belonging to the improvement project and for the future tolls, water rents, and other profits arising from the work for a term of forty years, he agreed to complete the entire work within a period of four years from the first day of July, 1854.

Immediately after signing this contract, Mr. O'Reilly returned to the East and, under the Iowa law, organized a company known as the Des Moines Navigation and Railroad (also Rail Road and Railway) Company. The members of this company were Edwin C. Litchfield, Porter Kibbee, Orville Clark, B. R. Whetmore, Henry O'Reilly, A. Hunt, Elisha C. Litchfield, Henry Ten Eyck, John Stryker, Nelson B. Stewart, and E. B. Litchfield. On the 9th of June, 1854, with the consent of Commissioner Bonney, Mr. O'Reilly assigned his contract to this newly organized company of which he, himself, had been elected an officer.

In this contract the company agreed: (1) to pay all of the outstanding debts against the improvement project within ninety days; (2) to settle and pay all damages against the State of Iowa, including damages to mill owners because of a suspension of operation; (3) to pay the salaries and expenses of the officers and employees; (4) to complete the improvement from the mouth of the Des Moines River to Fort Des Moines, in accordance with the original plans and specifications, by the first day of July, 1858; and (5) to complete at least one-fourth of the work each year, commencing on July 1, 1854. In consideration of this undertaking the Commissioners agreed to convey to the new company all the unsold lands of the Federal grant, and the right to collect the tolls and water rents for a term of forty years. At the expiration of that time the improvement was to become the property of the State of Iowa. By supplementary contracts additional improvements were

provided for, and the time during which the benefits were to be enjoyed by the company was extended to seventy-five years instead of forty years as provided in the original contract.¹⁸

Under this contract it was reasonable for the people to expect that the work of river improvement would be carried forward rapidly to a successful conclusion. These hopes, however, were of brief duration, for misunderstandings and disagreements soon developed among members of the company, and charges of mismanagement and graft were numerous. At a called session of the General Assembly, in 1856, Donald Mann, a stockholder of the company, memorialized the legislature to correct the "manifold abuses" of which he charged the directors of the company had been guilty.

In this memorial it was charged that the company had issued "about \$1,470,000, or 14,700 shares of stock, on which the sum of \$20 on each share was 'acknowledged to have been paid' — amounting in all to \$314,000 — when in truth no such amount had been or was expected to be received, there having been only 5 per cent. paid for the stock instead of 20 per cent., and but \$78,500 received, instead of \$314,000, as represented to 'the public and to individuals'. Even the '5 per cent' *said to have been paid in* when the Charter or Certificate of Incorporation was filed and published at the organization of the Company, was not *actually paid in by some of the managing Directors and members of the Executive Committee for many months* after that period." It was further alleged that the books of the company were not properly kept as required by law, that by collusion with some of the managers of the company, the treasurer had loaned large sums of money to members of

¹⁸ *Journal of the Senate*, 1854, Appendix, pp. 28-45; Gatch's *The Des Moines River Land Grant* in the *Annals of Iowa* (Third Series), Vol. I, p. 466; *Laws of Iowa*, 1852-1853, Ch. 103.

the executive committee, and that worthless stock had been sold to innocent purchasers.¹⁹

Henry O'Reilly, the organizer of the company, likewise petitioned the legislature to investigate the proceedings of the corporation. He expressed the opinion that a thorough investigation "will exhibit a remarkable degree of recklessness in violating *codes, laws, charters and contracts*". Indeed, he declared, "there is scarcely an important provision of the *Code of Iowa* (applicable to *Corporations*); scarcely an important point in the *Demoiné Improvement Laws*; scarcely an important provision in the contracts which the Company agreed to fulfil; scarcely an essential provision in its own By-Laws, or even in the *Charter which gave it legal existence*; which has not been violated, and violated with a recklessness that will form a memorable feature in the history of Iowa".²⁰

As a result of these petitions a joint committee was appointed by the General Assembly to investigate the facts. The brief time, however, rendered it impossible for the committee to make a report. An attempt to appoint an interim committee failed and no report was made at that time.

The memorials to the legislature and the discussions which they precipitated greatly prejudiced the public mind against the company. To restore confidence and to make such adjustments as might be necessary, W. C. Johnson, president of the corporation, requested Governor James W. Grimes to appoint a committee to investigate the operations of the company. He also offered to provide funds with which to pay for such investigation. Governor Grimes, however, did not think it proper to appoint such a committee, and so the matter rested until the General Assembly convened in regular session in December, 1856.

¹⁹ *Journal of the Senate*, 1856, Special Session, pp. 38-43.

²⁰ *Journal of the Senate*, 1856, Special Session, Appendix, pp. 27-31.

At that time a joint committee of twelve legislators was appointed to investigate the case. After a thorough investigation this committee expressed the opinion that since the Governor had not signed the agreement with this company as required by law, no legal contract had in fact ever existed. It also pointed out that if a contract had existed there had been a substantial non-compliance, since one-fourth of the work was not completed during the first year. And again, if a contract ever existed and if there had been a substantial compliance as to performance, the gross fraud on the part of the company would justify a forfeiture of its charter. Hence, in any case, the contract must fail.²¹

On the 2nd of April, 1855, William McKay of Polk County had been elected Commissioner of the Des Moines River Improvement, and John C. Lockwood of Louisa County, Register. In November, 1856, Mr. McKay resigned and Edwin Manning of Van Buren County was appointed by the Governor to fill the vacancy.

On January 1, 1857, Mr. Manning presented to the legislature an extensive and enlightening report relative to the project. He summarized the situation by stating that prior to entering into contract with the Des Moines Navigation and Railroad Company the State, through its Board of Public Works, had carried on the improvement program for nearly six years and had expended about \$475,000. For this sum of money the State had obtained:

(1) A complete engineering survey of the line of proposed improvement; (2) a ship canal commenced, and a large amount of work performed for a distance of 10 miles; and (3) three stone masonry locks (of a capacity to chamber boats 160 feet long and 44 feet beam), and two dams completed, together with large amounts of materials.

²¹ *Annals of Iowa* (First Series), Vol. XI, p. 495; *Journal of the Senate*, 1856, pp. 539-549.

In addition to the \$475,000 expended directly by the State, the Des Moines Navigation and Railroad Company had spent a substantial sum. Indeed, "an aggregate outlay of the State and the Company, of nearly Eight Hundred Thousand Dollars" had been made, and comparatively very little had been accomplished.

The company had undoubtedly failed to fulfil its contract, but in justification it was claimed that the State had not perfected its grant from the Federal government and because of that fact the State as well as the company was at fault. In the face of these facts, Mr. Manning recommended that a new committee be appointed by the legislature with authority to make a final disposition of the case.²²

In accordance with this recommendation, the General Assembly on January 29, 1857, passed an act providing for the appointment of a Commissioner by the Governor. This officer and the elected Commissioner were authorized to contract for the speedy prosecution of the work. It was also made their duty to ascertain and pay all just claims against the improvement project. In case of a disagreement between the Commissioners, the Attorney General was authorized to act as a third Commissioner and any two of these three men were given power to act. By this act of legislation it is apparent that the members of the General Assembly considered that the former contract with the Des Moines Navigation Company was no longer in effect. The company did not, however, agree that the contract was at an end, and it continued to operate to some extent.

The Commissioners appointed to make final adjustments were, however, unable to accomplish the task and the problem of final settlement came before the General Assembly again in 1858. At that time a new committee was appointed

²² *Annals of Iowa* (First Series), Vol. XI, p. 497; *Journal of the Senate*, 1856, pp. 551-585.

to make a "full and final" settlement with the Navigation Company, such settlement to be binding and effective when approved by the legislature.

This committee reported at the same session of the General Assembly, that an agreement had been reached, and on March 22, 1858, the General Assembly passed a joint resolution approving the settlement. It was agreed that the Navigation and Railroad Company should execute to the State "full releases and discharges of all contracts, agreements and claims with or against the State", including rights to water rents and the lands connected with the improvement except such as were secured by the State to the company. It was further agreed that the State should "certify and convey to the said Company, all lands granted by an Act of Congress, approved August 8th, 1846 . . . which have been approved and certified to the State of Iowa by the General Government, saving and excepting all lands sold or conveyed or agreed to be sold or conveyed" prior to December 23, 1853. It was specified that among the lands excepted and not granted by the State to said Company were 25,487.87 acres lying immediately above the Raccoon Fork, "supposed to have been sold by the General Government, but claimed by the State of Iowa". Governor Lowe reported that the land so conveyed amounted to 266,107 acres. It was further agreed that the company should release all materials to be used in furthering the work of construction, and should pay the State the sum of \$20,000 with which to liquidate its existing liabilities. It was stipulated that if the proposition were accepted by the company within sixty days, the agreement should become binding upon both parties. The Navigation Company accepted the proposed settlement on April 15, 1858, and on May 3rd, Governor Lowe conveyed the lands specified to the company by fourteen deeds. On January 9, 1860, the

Governor reported to the General Assembly that a full settlement had been made.²³

By this time railroads had come to be more desired than steamboat navigation. On the same day this resolution was passed, the General Assembly adopted a measure by which it provided that the lands remaining after making the settlement with the Des Moines Navigation and Railroad Company should be given to the Keokuk, Fort Des Moines, and Minnesota Railroad Company. The purpose of this act was to aid this railroad company in building a railroad from Keokuk along the valley of the Des Moines River to the northern boundary of the State. Since this grant had been given to the State for a particular purpose — the improvement of the navigation of the Des Moines River — and obviously could not be devoted to another purpose without the consent of Congress, this act of legislation was of no legal effect until its substance had been approved by Congress.

With the transfer of this remaining land to a railroad company the work of improving navigation on the Des Moines River came to an end. Very little of value had been accomplished. Cyrenus Cole in commenting upon the results of this project said: "The state had spent ten years and a million dollars to learn that politicians are not transformed into business men by being elected to offices with big names."²⁴

LITIGATION RESULTING FROM THE ACT OF 1846

On May 15, 1856, prior to the date of settlement with the

²³ *Laws of Iowa*, 1856-1857, pp. 383-385, 1858, pp. 427-429; *Journal of the Senate*, 1858, pp. 322-324.

²⁴ *Laws of Iowa*, 1858, pp. 195-198; *Journal of the Senate*, 1860, p. 24; Weaver's *The Story of "The Des Moines River Lands"* in the *Annals of Iowa* (Third Series), Vol. XVIII, pp. 420-429; Cole's *A History of the People of Iowa*, p. 216.

Des Moines Navigation and Railroad Company, Congress had granted to the State of Iowa for railroad subsidies every alternate section within six miles of each of four railroads then being built from east to west across the State. This grant, however, was not to include any lands theretofore reserved by competent authority for any other public improvement. The railroad land grants crossed the Des Moines River Improvement grant — two north of the Raccoon Fork, one at the junction of the two rivers, and one south of it. If the Federal grant of 1846 included the area above the Raccoon Fork as well as below it, obviously the railroads in that area would not get the lands at the points of intersection.²⁵

Before the railroads had become so important, the people of Iowa were united in desiring to have the Des Moines River Improvement Act of 1846 interpreted as extending to the northern boundary of the State. After the grant to the railroads, however, the railway interests of the State were content to have the River Improvement Act interpreted as extending only to the Raccoon Fork.

The crossing of the Des Moines River Improvement grant by railroad lines, especially the doubtful part of the grant north of the Raccoon Fork, gave rise to conflicting claims, and precipitated extensive and long continued litigation in the State and Federal courts. The case of the Dubuque and Pacific Railroad Company *v.* Litchfield came before the United States Supreme Court in 1859 upon a writ of error from the United States District Court of Iowa. In the lower court, E. C. Litchfield was the plaintiff and claimed title to certain lands at the intersection of the Des Moines River and the Dubuque and Pacific Railroad. Litchfield claimed as grantee of the State under the Des Moines River Improvement Act of 1846, while the railroad company

²⁵ *United States Statutes at Large*, Vol. XI, pp. 9, 10.

claimed under the grant of 1856. It was admitted that Litchfield's claim would prevail if the grant of 1846 extended to the lands above the Raccoon Fork, otherwise it would fail. In the lower court judgment was for the plaintiff and an appeal was taken by the railroad company.

The United States Supreme Court, however, reversed the holding of the lower court and decided in favor of the railroad grant. It held that a grant is to be construed strictly against the grantee, and that since the larger area was not specifically and clearly designated in the grant of 1846, it was not included, and the grant extended only to the Raccoon Fork.²⁶

Under this decision, the fourteen deeds given by the State to the Des Moines Navigation and Railroad Company would have been of no effect, since the State could not pass title to land which it did not possess. Since there were many conflicting claims by innocent purchasers and settlers who expected to obtain a good title by paying the minimum price of \$1.25 it was necessary that some further adjustment be made.

Accordingly, on March 2, 1861, Congress passed a joint resolution that "all the title which the United States still retain in the tracts of land along the Des Moines river, and above the mouth of the Raccoon fork thereof, in the State of Iowa, which have been certified to said State improperly by the Department of the Interior, as part of the grant by act of Congress approved August eight, eighteen hundred and forty-six, and which is now held by bona fide purchasers under the State of Iowa, be, and the same is hereby relinquished to the State of Iowa."

On July 12, 1862, Congress passed a more sweeping act which provided that the act of August 8, 1846, "is hereby extended so as to include the alternate sections lying within

²⁶ Dubuque and Pacific Railroad Company v. Litchfield, 23 Howard 66.

five miles of said river between the Raccoon fork and the northern boundary of said State.”²⁷

It will be recalled that as early as June, 1849, the lands along the Des Moines River to the northern limits of the State were reserved from settlement by direction of the United States Land Office. This reservation had been continued in force notwithstanding the subsequent conflicting rulings as to the extent of the grant and the adjudication in the courts relative to the extent of the grant. The validity of this reservation was sustained in the case of *Wolcott v. Des Moines Company* which came before the Supreme Court of the United States in 1866.²⁸

In that case the testimony showed that the Des Moines Navigation and Railroad Company had conveyed a half section of land in Webster County to a man named Wolcott in 1859. When the Litchfield case was decided in favor of the intersecting railroad companies Wolcott felt that his title was of no value, and he sued the Navigation Company for breach of covenant, alleging, in his declaration, that the title to the tract sold by the company to him had failed. This allegation the company denied, setting up that whatever might be the conclusion on the construction of the grant of 1846, this case rested upon the actions of different departments of government and upon subsequent acts of Congress. Particularly, the case rested upon the reservation of the land from sale by the Federal government in 1849. The United States Supreme Court held that this reservation continued in full force and effect, and that the Wolcott land, being within the limits of this reservation and included in a grant recognized as legal at the time and confirmed by a later law, legally belonged to Wolcott, in spite

²⁷ *United States Statutes at Large*, Vol. XII, pp. 251, 543.

²⁸ *United States v. Des Moines Navigation and Railway Company*, 142 U. S. 510; *Wolcott v. Des Moines Company*, 72 U. S. 681; *Code of 1851*, Sec. 1202.

of the decision that the grant of 1846 did not at the time it was made extend north of the Raccoon Fork.

As lands properly reserved were not open to settlers or sale, it follows that at the time of the passage of the resolution of 1861 the lands above the Raccoon Fork were entirely subject to the control of Congress. By that resolution Congress relinquished to the State all the title of the United States to such tracts of land as were then held by *bona fide* purchasers. Moreover, by the act of the succeeding year, the grant was definitely extended to the northern limits of the State, so that all alternate sections above the Raccoon Fork (as well as those south of it), not theretofore disposed of by the State to *bona fide* purchasers, thereby passed to the State.

The *Code of 1851* provided that "Where a deed purports to convey a greater interest than the grantor was at the time possessed of, any after-acquired interest of such grantor to the extent of that which the deed purports to convey enures to the benefit of the grantee." Accordingly, if by resolution and acts of Congress, a full and complete title passed to the State after the State had sold or granted lands, this title passed through the State to the real beneficiaries of the resolution and laws, namely to the *bona fide* purchasers. Even if there had been no specific Code provision relative to after-acquired property, the result in this instance would have been the same. For "the manifest intent of Congress in the resolution was, not to transfer the title to the State to be by it disposed of as it saw fit, but to the State solely for the benefit of *bona fide* purchasers".

This, however, did not settle the questions concerning the Des Moines River lands. Was the Des Moines Navigation and Railroad Company a *bona fide* purchaser under the State? This question was presented in many cases and was not finally settled until 1892 — forty-six years after

Congress made its first grant for the Des Moines River Improvement.

After the decision in *Dubuque and Pacific Railroad Company v. Litchfield* in 1859 that the improvement grant extended only to the Raccoon Fork, patents were issued by the United States Land Office upon some preëmption claims in this area, among others upon a claim made and proved up by Hannah Riley. In the case of *Wells v. Riley*, involving this claim (decided by the Supreme Court of the United States in 1869 but not reported) it was held that the preemption entry and patent issued on it were void. This decision was based upon the fact that the land in question had been withdrawn from sale and entry because of the conflicting views of officials relative to the extent of the grant of 1846 and the effect of subsequent acts. The husband of the plaintiff had entered the land in 1855 without right and had continued in possession. The patent issued under such conditions was declared to be void.²⁹

In 1873 three other cases were decided by the Supreme Court of the United States relative to the Des Moines River Improvement land grant. The cases of *Williams v. Baker* and *Cedar Rapids Railroad Company v. Des Moines Navigation Company* were similar and were disposed of in a single opinion. In each case, one party claimed under the River Improvement grant and the other under the railroad grant of 1856.

In its opinion on these cases the Supreme Court noted the long contest as to the scope of the original grant, and the final determination of it in the case of *Railroad Company v. Litchfield*. It then observed: "This decision was received as a final settlement of the long-contested question of the extent of the grant. But it left the State of Iowa, which had made engagements on the faith of the lands certified to

²⁹ *Wells v. Riley*, quoted in *Annals of Iowa* (Third Series), Vol. I, p. 486.

her, in an embarrassed condition, and it destroyed the title of the navigation company to lands of the value of hundreds of thousands of dollars, which it had received from the State for money, labor, and material actually expended and furnished. What was also equally to be regretted was, that many persons, purchasers for value from the State or the navigation company, found their supposed title an invalid one.”

After reviewing the resolution of 1861 and the act of 1862, the Court continued by saying that the legislative history of the title of the State of Iowa to the lands “needs no gloss or criticism to show that the title of the State and her grantees is perfect, unless impaired or defeated by some other and extrinsic matter which would have that effect”. Did the railroad grant of 1856 defeat or impair the title of the State and its grantees? One side claimed that it did; that the grant of 1846 did not apply north of the Raccoon Fork and therefore, the land passed to the railroads by the grant of 1856. The other side held that the land was actually withheld from the railroad grant and was later confirmed to the State by subsequent action of Congress.

The Supreme Court agreed with the second opinion, saying: “We, therefore, reaffirm, first, that neither the State of Iowa, nor the railroad companies, for whose benefit the grant of 1856 was made, took any title by that act to the lands then claimed to belong to the Des Moines River grant of 1846; and, second, that by the joint resolution of 1861, and the act of 1862, the State of Iowa did receive the title for the use of those to whom she had sold them as a part of that grant, and for such other purposes as had become proper under that grant.”³⁰

The case of *Homestead Company v. Valley Railroad* was

³⁰ *Williams v. Baker*, 84 U. S. 144, at 148-152; *United States v. Des Moines Navigation and Railway Company*, 142 U. S. 512, at 532.

also a contest between a claimant under the railroad grant and parties claiming under the river grant. The validity of the latter claim was again affirmed. The Supreme Court in rendering the decision said: "It is therefore no longer an open question that neither the State of Iowa nor the railroad companies, for whose benefit the grant of 1856 was made took any title by that act to the lands then claimed to belong to the Des Moines River grant of 1846, and that the joint resolution of 2d of March, 1861, and the act of 12th of July, 1862, transferred the title from the United States and vested it in the State of Iowa for the use of its grantees under the river grant". It is not strange that the Court said it is "no longer an open question" for this was the fifth time substantially this same ruling had been made by the Supreme Court of the United States.³¹

But the question of this grant came before the United States Supreme Court again in 1879. In this case — *Wolsey v. Chapman* — the claim adverse to the river grant originated in connection with the land grant to Iowa Territory in 1841. In September of that year Congress gave Iowa 500,000 acres of land. By the Constitution of Iowa adopted in 1846 this grant was appropriated to the use of the common schools, and this appropriation was subsequently assented to by Congress. The grant of 1841 was not effective until a selection had been made which was done in July, 1850. At that time the agents of the State selected the parcel of land in question as a part of this school grant, and in 1853 a land patent was issued by the State to Wolsey. This selection of the school lands was several months after the lands had been reserved for the River Improvement grant, under which Chapman claimed as a grantee of the Navigation Company. The Supreme

³¹ *Homestead Company v. Valley Railroad*, 84 U. S. 153; *United States v. Des Moines Navigation and Railway Company*, 142 U. S. 510, at 523.

Court decided in favor of Chapman, holding that the grant under which he held was selected first and, though not legal at the time, was later made effective.³²

At the same term of court in which the Wolsey case was decided, another case — *Litchfield v. County of Webster* — came up for hearing. The question in that case was at what time the lands included in the Des Moines River Improvement project ceased to belong to the United States government and became subject to taxation. In 1873 *Litchfield* filed a bill of complaint against Webster County to enjoin the collection of taxes levied for the years from 1859 to 1866, inclusive, upon 32,602 acres of land. The total amount of the taxes, at the time the case was submitted to the lower court, was \$10,174.76, and the penalty claimed for non-payment of them was \$64,235.41, making a total of \$74,410.17. *Litchfield* claimed that his title to much of this land did not actually become legal until the decision in the case of *Wolcott v. Des Moines Company* in 1866, since the State claimed the land up to that time. The lower court held that the complainant should pay the full amount of taxes from 1862 to 1866, inclusive, with annual interest thereon at the rate of six per cent; but decided that the lands were not subject to taxation prior to 1862 nor did the penalties (other than interest) apply. A decree was entered accordingly. Both parties appealed. The decision was affirmed by the Supreme Court, which held that title was relinquished by the United States by the resolution of 1861 and enured at once to the purchaser. By the Iowa law the land was subject to taxation the following year and thereafter.³³

Ten years later, in 1883, the case of *Des Moines and Sioux City Railroad v. Des Moines Valley Railroad* came

³² *Wolsey v. Chapman*, 101 U. S. 755, at 771.

³³ *Litchfield v. County of Webster*, 101 U. S. 773, at 775.

before the Supreme Court of the United States. This was an action to recover lands and quiet title, in which the parties respectively claimed under the railroad grant of 1856 and the River Improvement grant. The lands involved in this suit were odd-numbered sections located within five miles of the Des Moines River. The plaintiff (holding title under the railroad grant) claimed that title did not pass to the defendant under the act of 1862, because the Indian title to the land in question had not been extinguished when the reservation of the River Improvement lands was made, and they were not then a part of the public lands of the United States. The Supreme Court held, however, that such Indian title did not exist in 1862, and that the act of that year "transferred the title from the United States and vested it in the State of Iowa, for the use of its grantees under the river grant."³⁴

Still later, in 1886, another attempt was made to disturb a title held under the River Improvement grant. In the case of *Bullard v. Des Moines and Fort Dodge Railroad* the plaintiff filed a bill to quiet title to certain lands in Humboldt County. The defendant filed an answer and a cross-bill asking that its own title be declared valid. The claim of the plaintiff was based upon settlements made along the Des Moines River above the Raccoon Fork in May, 1862, a few days before the passage of the act of 1862. The contention of the plaintiff was that the reservations of the Land Office in 1849 and the railroad grant of 1856 were cut off by the resolution of 1861 and that settlements made between the date of the resolution of 1861 and the act of 1862 were superior to title conferred by the act of 1862. The United States Supreme Court sustained the decision of the Iowa State Supreme Court in holding that the reser-

³⁴ *Dubuque and Sioux City Railroad v. Des Moines Valley Railroad*, 109 U. S. 329; *United States v. Des Moines Navigation and Railway Company*, 142 U. S. 510, at 535.

vation from sale made by the Land Office "was not terminated by the resolution of 1861, but continued in force until the passage of the act of 1862".³⁵

In 1888 the General Assembly of Iowa, seeking to free the State from any further litigation in this matter, and hoping to render it possible for *bona fide* purchasers and preëmtors to secure their just rights, passed an act to relinquish all right and title of the State in the River Improvement lands to the United States, except lands to which the title was certified by the United States to the State of Iowa by the joint resolution of March 2, 1861.³⁶ After the passage of this act the United States was induced to file a bill against the Des Moines Navigation and Railroad Company in an attempt to arrive at a final adjustment of this whole problem.

The case was brought in the Circuit Court of the United States for the Northern District of Iowa, and the plaintiff asked that a decree be entered cancelling the certificates issued by the Secretary of the Interior and the deeds issued by the Governor of Iowa to the Navigation Company, and confirming the Federal government's title to the land. The opinion was rendered by Judge O. P. Shiras who decided that so many interests were involved on both sides that full justice could not be done in the courts by rendering a decision for either side. Accordingly, he dismissed the bill and recommended that final adjustment with the settlers be made through an appropriation by Congress. In rendering this decision Judge Shiras said:

But one course can be pursued that will meet the present exigency, and that is for the United States to purchase the lands in question from the defendants, and having thus acquired the title thereto,

³⁵ *Bullard v. Des Moines and Fort Dodge Railroad*, 122 U. S. 167; *United States v. Des Moines Navigation and Railway Company*, 142 U. S. 510, at 535.

³⁶ *Laws of Iowa*, 1888, Ch. 196.

Congress can deal with the settlers upon equitable principles. It is not within the power of the courts, by any possible construction of the existing acts, to meet the difficulties of the situation. Taking into account the equities and claims on behalf of the State, the Navigation Companies and their grantees, Congress in 1861 and 1862, to meet the same, extended the grant of 1846 from the Racoon Fork to the north boundary of the State, but in so doing failed to protect the settlers then actually occupying portions of the lands thus granted. Should the court, in the effort to protect settlers now hold them entitled to their homes, a manifest wrong would be done to the grantees of the Navigation Company, who for many years have paid the taxes on these lands, and have sold and conveyed the same, in many instances, to parties paying full value therefor. If the courts, disregarding the many decisions heretofore made, should find some ground for holding that the United States might, at this late day, make a decree adjudging the title to be in the Government for the benefit of the settler, Paul might be thereby paid, but Peter would be robbed.

An appeal was taken from the decision of Judge Shiras in the fall of 1891 to the Supreme Court of the United States. After reviewing the several cases which had been before the courts in the past thirty-two years, dealing with this subject, the court refused to make any alterations. In affirming the earlier decisions Justice David J. Brewer said: "It would seem, if the decisions of this court amount to anything, that the title of the navigation company to these lands was impregnable. Indeed, the emphatic language more than once used, as quoted above, appears like a protest against any further assault upon that title." Accordingly, the Court held that the Navigation Company and its assigns stood in the position of *bona fide* purchasers. Thus the litigation which had extended over more than a quarter of a century was ended.³⁷

³⁷ United States v. Des Moines Navigation and Railway Company, 43 Federal Reports, page 1 at 11, 12, quoted in the *Annals of Iowa* (Third Series), Vol. I, p. 636; United States v. Des Moines Navigation and Railway Company, 142 U. S. 510, at 536.

CONGRESSIONAL ACTION

During the years that the Des Moines River Improvement project was before the courts repeated efforts were made to obtain congressional action to settle the matter. In 1872 a report was made to Congress "on the extent of losses of settlers upon Des Moines River lands by reason of failure of title". In March of the following year a commission was established to make a further study, and in November of that year a second report was submitted. As a result of these reports and through the efforts of Jackson Orr, Iowa Representative in Congress from the District including Fort Dodge, a bill providing for an appropriation of \$400,000 to make adjustment with settlers, was passed by the House of Representatives. The measure, however, failed of passage in the Senate.³⁸

On March 3, 1893, exactly twenty years after the passage of the law which provided for the second commission, a law passed Congress authorizing the Secretary of the Interior to make an investigation of conditions within this area, and to ascertain what claims were still held against the government. During the following summer Robert L. Berner, a special agent of the Department of the Interior, visited Iowa and spent several weeks at Fort Dodge, Boone, and other cities investigating claims. In his report to the Secretary of the Interior in May, 1894, Mr. Berner said that the titles to 35,904 acres were involved in the various claims which he had investigated.

On August 18, 1894, the Fifty-third Congress appropriated \$200,000 with which to adjust the claims of interested parties. Forty-eight years had passed since the grant of 1846 had been made for the improvement of the Des Moines River, and thirty-four years had elapsed since Governor Ralph P. Lowe reported that he had made final settlement

³⁸ *Annals of Iowa* (Third Series), Vol. I, pp. 232, 233, 538, 639.

with the Des Moines Navigation and Railway Company. Cases involving lands in this grant had gone to the United States Supreme Court at least eight times. More than a million and a half dollars had been expended, but navigation on the Des Moines River was still as impracticable as it had been in 1846.³⁹

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³⁹ *Annals of Iowa* (Third Series), Vol. I, pp. 538, 539, 639; *United States Statutes at Large*, Vol. XXVIII, p. 396.

SOME ASPECTS OF CONGREGATIONALISM IN RELATION TO THE EARLY CULTURAL DEVELOPMENT OF IOWA

In 1788 Julien Dubuque, a Frenchman, settled on the site now named for him, where he made the first attempt to mine the abundant lead on the west side of the Mississippi River. Dubuque died in 1810, however, and after his death various attempts were made to mine the rich ores of lead, but each attempt was thwarted by the United States troops stationed at Fort Crawford. Not till 1832 was the Black Hawk Purchase Treaty concluded, by which a stretch of land lying west of the Mississippi was transferred to the public domain of the United States. The actual transfer, however, did not become effective until June 1, 1833, when the first white settlement of Iowa was permitted although the land was not legally on sale and open to settlement.

White settlers across the river in Galena, Illinois, had for the previous several years been seeking to mine the lead around Dubuque. The Galena settlement was so closely related to Dubuque and the first Iowa settlement on the Upper Mississippi that its story is almost a part of Iowa history. This is especially true in tracing the influence of Congregationalism on the cultural development of Iowa. But this story has its roots further back — in New England.

In 1787, the year before Dubuque settled on the Upper Mississippi, the Reverend Manasseh Cutler, a Connecticut Congregationalist, began active work for the cultural development of the Northwest Territory. Cutler was a typical New England Congregational minister. Born in Connecticut in 1742, he graduated from Yale at the age of twenty-three with the same keen interest in science that had char-

acterized Jonathan Edwards. He early felt a desire to study the unknown west, but delayed his western trip for want of opportunity, and instead studied law and taught school. In 1768 he received the degree of Master of Arts at Yale and spent the next two years studying theology. In 1770 he began his long career as a Congregational minister, at the same time serving in the Revolutionary War, studying medicine, botany, astronomy, and literature.

In the early 1780's "the west" absorbed his attention. He believed, contrary to the opinion of many, that it held a great future. In 1786 he helped form the Ohio Company and the next year helped draft the Ordinance of 1787. This Ordinance marked the beginning of the territorial system of government in the United States and created the great Northwest Territory from which the pioneers were eventually to realize Cutler's dream and go even beyond the Mississippi. Cutler was influential in securing the provision forbidding slavery in the Northwest Territory, the Congregational Church having followed the Quakers in early denunciation of slavery in the United States.

Finally, in 1788, Cutler came as far west as Ohio, where he promoted colonization and made the first archaeological survey of Indian mounds. The next year Yale recognized his pioneer work in science, politics, and religion, bestowing on him the degree of Doctor of Laws. He was thereupon elected to all the learned societies of his day, but he never forgot his main purpose — to promote the cause of religion and education in the west. This double characteristic of Congregationalism should never be lost sight of: it sought to understand the working of God in nature as well as in Biblical revelation.

But Manasseh Cutler was destined to spend his life mainly in Massachusetts. It was his part to inspire and to show the way to others. The New England churches,

awakened by him to the possibilities of the unknown west, early began to lay plans and means for the spread of religion and its handmaid, culture. To this end they formed various societies, which, augmented by the preaching of Jonathan Edwards and George Whitefield, together with the Methodist movement, were to prove to be historically and culturally of the first importance. Early in life Manasseh Cutler took from Virgil his motto for life: *Felix, qui potuit rerum cognoscere causas*. And the first pioneer Presbyterians and Congregationalists who came to Iowa brought a background in both the classics and the Bible. It is partly because of this that Iowa, although her present school system is no better than that of many another State, boasts today that she is the most literate State in the Union.

The New England churches, usually thought of as Congregational, were in part Presbyterian. The difference lay not in doctrine but in government. The Congregational churches exemplified pure democracy, while the Presbyterian form of government was a representative democracy. But the Congregational and Presbyterian churches worked in complete harmony in regard to their responsibility in "the west".

In 1774 the General Association of Congregational Churches of Connecticut began, under Manasseh Cutler's guidance, to plan to send ministers into the "settlements now forming to the westward and northwestward". In 1789 the first General Assembly of the Presbyterian Church in America joined its purpose with that already expressed by the Congregational Church. This same year the two churches united their efforts for home missions. In 1801 the Plan of Union brought about coöperative union, whereby these two great religious bodies were not only to extend religion and culture into the whole United States,

but also to prophesy the day when America should have a United Church.

Jonathan Edwards, the younger, founder of Congregational churches and President of Union College, proposed the Plan of Union for the western missionary work, while sitting as a delegate in the General Assembly of the Presbyterian Church. The plan permitted ministers of either denomination to serve as pastors in either Presbyterian or Congregational churches. Aratus Kent, the earliest appointee to reach Iowa under the new plan, was a Presbyterian, but he founded a long list of Congregational churches and Congregational colleges as well as many Presbyterian churches. The exact number, unfortunately, can not be determined, but he was instrumental in forming organizations in practically all the pioneer settlements along the Upper Mississippi. When Manasseh Cutler died in 1823 his aspiration had been fulfilled.

CONGREGATIONALISM AND EARLY SETTLEMENTS ALONG THE MISSISSIPPI

By the year 1828 the Galena settlement had reached such proportions that letters asking for church workers were sent to the American Home Missionary Society which had been formed in 1826 with headquarters in Boston.

The first and most important request is contained in the following letter written in 1828 by Christopher R. Robert,¹ a Galena pioneer, to the Reverend Dr. Peters, then secretary of the American Home Missionary Society:

Galena is situated on the west bank of Fever River, (proper name, Riviere au Fievre,) three miles east of the Mississippi, between 42 deg. 30 min. and 43 deg. North latitude. It has not yet been determined whether it is just without the northern boundary of Illinois or not. It is not, however, far from the line. The num-

¹ The writer is indebted to the Reverend Frederick T. Persons for permission to quote this letter.

ber of inhabitants is estimated to be from 1200 to 1500; the former is probably the most accurate.— It is supposed two-thirds of them have emigrated hither from various parts of the U. S. and the remainder from Ireland — the last are mostly Catholics — the others, who profess to be anything, are various; but it is thought that a majority of them would prefer a clergyman of the Presbyterian denomination.

Every steamboat brings large numbers, and it is thought by the month of July the number will be increased to near, if not quite, 1,000.

There are none of the external or public means of grace here, either in town or country. There was at one period a Catholic priest here, and last summer a Methodist clergyman for a short time. I have been much occupied since my arrival, and have not yet been out in the country, and but little about my town. But you can readily imagine what the situation of the people must be, in a moral and religious point of view, from what I have now said. The Sabbath is not much regarded in the village; the miners do not generally work on that day — I fear, not out of regard to it.

The number of families in the village is estimated at 100 to 150; the number of children is small in proportion; I am told, not exceeding fifty. There is no school here at present. There was one last summer of about thirty scholars.

I am informed there are a number of persons in the village who are desirous of having a clergyman settled here. There is no place of public worship yet erected; though the subject of erecting one has been in agitation for some time. But no measures have been taken to accomplish it. There are some few pious persons in the place, and a number of others friendly to religion, who, I have no doubt, if they had a sensible, judicious clergyman, to advise and instruct them, would be disposed to co-operate in any measure calculated to improve the condition of the people.

There is a subscription now in circulation to raise a support for a clergyman. Two names are down for \$125; and as far as I can judge there will be enough raised to support a man one year, at least.

There will be a difficulty in obtaining a proper place for meetings, as the houses are most of them built of logs and very small. But it is thought this difficulty may be overcome by erecting a temporary building, which could be done in a short time.

I need say nothing to impress upon your mind the importance of this field for the preaching of the gospel. The present population is small to what it will be in a few years. The whole country east of the Mississippi, from the mouth of the Rock river to the Ouisconsin, is full of lead ore, and from what I learn, the excavations have but just begun.— You can form some idea of the rapid growth of the country from the fact that two years since the population of this place did not exceed fifty souls.

I am diffident in expressing an opinion as to the requisite qualifications of the minister whom you may send to this field; but from your knowledge of the character of the people, you will doubtless think it desirable to send one of some age and experience in the ministry.

In residing here, a person must undergo much privation for a few years, or until the country becomes more settled. His fare must be plain, much of the time salt provisions, and few or none of the luxuries of life. The climate, in the country, is healthy; and the village cannot be called unhealthy, but, like most newly settled places, is subject to fever and ague, and bilious fever in the autumn.

The first man to respond to the call of Galena was Aratus Kent,² a graduate of Yale, and a pupil of the great Timothy Dwight. Dwight, equally famous as theologian, man of letters, and President of Yale, trained his pupils in a theology which could meet infidelity and vulgarity of the frontier. Kent was commissioned in March, 1829, by the American Missionary Society, working under the Plan of Union.

In 1831 the Reverend Asa Turner came from Quincy, Illinois, where he was acting as Congregational missionary, to visit Kent at Galena. Commenting on this visit in 1883 the Reverend Julius A. Reed wrote: "This was before the Black Hawk war, and while the whole country north of Missouri and west of the Mississippi was in the undisturbed possession of the Indians, and what is now known as Iowa was a part of Missouri Territory." Mr. Reed then proceeded to tell of his own introduction to what is now Iowa:

² Kent's story has been told in *The Palimpsest*, January, 1937.

“It was about the first day of June, 1833, that I saw the Black Hawk Purchase, as eastern Iowa was then called, for the first, and as I then supposed, the last time, as I rode down the east bank of the Mississippi from Commerce, now Nauvoo, past the store in Montebello where, less than three years afterwards, I preached my first home missionary sermon.”³

In 1833, after the Black Hawk Purchase became effective, legal settlement by the white pioneers took place. The Reverend Aratus Kent at once crossed the Mississippi and began work in Dubuque. At this time Dubuque is represented by all contemporary accounts as a peculiarly Godless country. The first settlers came to mine lead, hoping to make quick and easy money.

Kent urged Turner to return to Iowa as a missionary and the latter complied. Fortunately we have his story as told by Reed:

In May, 1836, Mr. Turner, then pastor of the Congregational church at Quincy, Ill., and Rev. William Kirby, pastor of the Congregational church at Mendon, Ill., made a missionary tour in the Black Hawk Purchase. The western line of the Purchase commenced near the southwest corner of Van Buren county, passed through Fairfield, west of Brighton and Washington and east of Iowa City, to a point on the Cedar river about east of Solon, thence near Mt. Vernon, east of Marion and Independence, to the south line of the Neutral Lands at a point about twelve miles due west of Fayette. The northern boundary was nearly a straight line from the last mentioned point to the Painted Rocks on the Mississippi above McGregor. These brethren crossed the river at Ft. Madison, when Mr. Turner preached the first sermon preached in Iowa by a Congregationalist.⁴ They went to Farmington by way of West Point. There was at that time scarcely any travel from the Missis-

³ Reed's *Reminiscences of Early Congregationalism in Iowa* (Grinnell, 1885), p. 3.

⁴ Aratus Kent was a Presbyterian, working for the United Church under the Plan of Union of 1801. The Galena people requested a Presbyterian.

issippi across the country to the Des Moines. Two years later the settlers could tell you that a certain dim track was the territorial road to Farmington, but could tell you nothing about it beyond their own neighborhood. Of course they lost their way, and at nightfall found themselves with no settlement in sight and the road plunging into a wide prairie where, ten years later, there was no house for ten miles. Providentially they saw a single wagon tract [sic] turning into the grass in the direction of a point of timber. This track they followed while they could see it, and afterward pushed their way at a gallop in the same direction. Some animal sprang up almost beneath their horses' feet; they hoped it was a calf, probably it was a wolf, but soon they heard the barking of a dog, which led them to the camp of a Mr. Green, who was living with his family in his wagon and an open shed, while preparing a better shelter. This was at the edge of the timber back of Bonaparte. The corn of which their bread was made was on the cob at their arrival. After preaching at Farmington they passed on their way to Burlington, a mile and a half east of Denmark, past Mr. Conaro's residence, where the roads from Denmark to Ft. Madison and from Burlington to West Point crossed each other. Mr. Turner may have admired the clump of hickories which stood there, but that naked, uninhabited prairie was forgotten as soon as it was passed; but with what an earnest gaze would he have scanned it had he foreknown that he was there to do his life's work, and love it better than any other place on earth. These brethren preached at Burlington and Yellow Springs, and passed through Bloomington, now Muscatine, and Davenport, where two or three thousand Indians were encamped, up to J. B. Chamberlain's on the bank of the Mississippi, eight miles above Davenport, at the mouth of Crow creek, where Mr. Turner preached the second protestant sermon preached in Scott county. On their return they crossed Rock river near Milan at a deep ford, and at sunset found themselves on the south bank, quite wet, and ten miles from the first house on their route. A well-beaten road led to Ft. Edwards at Warsaw, but their road, which branched from it, was dim, and they passed it, unseen in the dark. After riding more than thirty miles they reached, towards morning, a cabin where New Boston now stands. There were sixteen in it already, but a log cabin is never full, and, by pushing and crowding, room was made for our tired travelers. It was now Saturday, and Mr. Turner had promised to preach at

Yellow Springs on the next day. For some reason he could cross the Mississippi only by a canoe, and Yellow Springs was fifteen miles away. With his saddle-bags on his arm he crossed the river and started on foot through the grass in the hot sun. His night's exposure told upon him and he was obliged to leave his saddle-bags hanging on a tree. This was the beginning of Congregational missionary work in the Black Hawk Purchase.

While these brethren were absent on this tour the pioneers of Denmark came to Montebello, Ill. They were Deacon Timothy Fox, Lewis Epps, Curtis Shedd, Samuel Houston and Edward A. Hills. After examining several localities in Adams and Hancock county, Ill., they visited the Purchase and returned in a few days saying they had secured claims about two and a half miles from Augusta. The first name of their settlement was "The Haystack", originating from the large haystack which was the joint property of the colonists. That name had a *reason*, which, I fancy, cannot be said of its present name. [i. e., Denmark] ⁵

In October, 1836, Congregationalism took a firm foothold in the southeastern part of Iowa with the coming of the Reverend William P. Apthorp who located first at Fort Madison as a home missionary under the United Board of Home Missions supported by both the Congregational and Presbyterian churches. The "Haystack" pioneers invited him to preach for them and this settlement was added to his other stations. Soon he was preaching in turn at all the pioneer settlements in that part of Iowa. For a short time in 1837 he taught at the Mission Institute at Quincy, Illinois, but soon returned to Fort Madison, Iowa. On his return to Iowa, he again took charge of the congregation at "Haystack" which by that time had changed its name to Denmark.

About this time Denmark began active communication

⁵ Reed's *Reminiscences of Early Congregationalism in Iowa*, pp. 3, 4. Reed's account gives perhaps the best picture in existence of the eastern part of Iowa in 1836. It also gives the reason for the earlier name for Denmark, "Big Haystack". The writer is also indebted to the Reverend Frederick T. Persons for material on this subject.

with the Quaker settlement at Salem, some twenty miles to the west. Salem had been founded in 1835 by Friends who had come mainly from the Carolinas, via Ohio and Indiana, because of their pronounced abolitionist convictions. Almost at once they established an Underground Railway, receiving at the Salem station large numbers of fugitive slaves who crossed the Des Moines River from Athens, Missouri, to Croton on the Iowa side. In this movement the Quakers and the New England Congregationalists worked in harmony, Denmark being the next station beyond Salem on the road to Canada and freedom. Apthorp's interest was aroused. He, too, believed slavery to be a great evil, and he believed the west could solve the problem. He accordingly came back to Iowa to supply the Fort Madison community and neighboring settlements that preferred a Congregational minister. Apthorp thus became the first resident Congregational minister in Iowa.

It was the custom of the early pioneer missionaries to report back to Boston the condition of the frontier stations. Fortunately Apthorp's report, written from Fort Madison in March, 1838, has been preserved. This letter is of importance for a student of the early cultural history of Iowa. It gives a vivid picture of the actual conditions and also of the hopes of the pioneer Congregational leaders. This letter, now for the first time published *in toto*, is as follows:

Fort Madison March 7, 1838

Rev. Milton Badger

Assist Sect. A. H. M. S.

Rev & dear Sir,

Your letter of Dec. 27 authorising me to draw for the amount pledged me last year, was received a week or two since. The receipt of it gave me much satisfaction, not merely by relieving [sic] me in a most timely, & even unexpected manner, but also as affording evidence that your most useful Society was recovering in a measure at least, from the shock of the times. In accordance with the in-

structions contained in it, I have drawn for \$256. Deducting, as explained in my last, \$24 for board last year, & \$20 promised me at Denmark to be paid as soon as it can be collected. I have not made any application at Madison for money, as under present circumstances, it does not seem to be expedient. If I continue to preach there this year I shall propose to them to say how much they will agree to raise towards my support. A church is to be organized as soon as ministerial help can be obtained, which it is hoped will be in a few weeks. The ministers who were appointed to organise churches in this Territory, did not come on account of a death in the family of one of them. They have been written to to request them to come & form a church if possible. Things are improving here. Our meetings are fuller than they were, and [although the Methodists have the advantage in some respects, yet]⁶ I think the prospects of a [Congregational] Presbyterian Church are [full as] favorable. Mr. Edwards, the former editor of the Ill. Patriot, has left Jacksonville, & set up his press in Madison, with fair prospects — he has been an elder, & his coming makes the forming of a church practicable, he & his wife are a great accession to the place — he is our Sab. School Superintendent, & it flourishes well under his care — his wife is very active in promoting female prayer meetings, & every good thing in her sphere. I trust this year will witness the erection of a house for a school house & meetings.

At Denmark, a [Congregational] church is to be organised, with the leave of Providence, the last Sabbath in May, with the help of Br Turner from Quincy. This would have been done in the fall, but for Mr. Turner's being prevented from coming at the time appointed. They have always had a Bible class among themselves, and this spring a Sabbath School for the younger portion will be commenced. They have raised a frame for a meeting & school house, but will not have it covered till some time this Spring. A Friday evening prayer meeting was attempted this winter, which I had to ride 5 miles to attend; but the intense cold, together with some of the people being away at work on a saw mill, after a few meetings rendered it impracticable.

I have not done anything toward applying for a new commission, on account of the present circumstances in both my places. When

⁶ The words and phrases of this report given in brackets were written by Rev. W. P. Apthorp but were later for some unknown reason crossed through with a pen.

churches are organised, & things become somewhat settled, it will be easier to decide whether a new commission will be necessary, & if so, for what amount. I consider it very doubtful, in case I continue to preach at these two places [which at present is probable altho it may be otherwise] whether a new commission will be required — at all events, the sum needed will be small. If possible I shall get on without it. Denmark of itself *ought* to support a minister very speedily: & Madison may be expected to do something considerable towards it, altho it is true, that in this country, money can be raised much easier for other objects than for ministers' salaries.

The country on this side the river is rapidly filling up. There are many towns growing up within a small circuit — Burlington, 20 miles up the river, which is the seat of Territorial government, is an important place. The Methodists have chiefly occupied it, yet there are Presbyterians there, who want & need the Gospel for themselves, & to form a new point of influence for those around — there is much vice there of course — but the population is improving in a moral respect as I have heard. A Presbyterian minister would probably find it a hard place to labor but perseverance would be rewarded in the end. (I have heard since that Mr. Bell preaches at Burlington as often as his health permits.) West Point, 10 miles west from Madison, which contended with M. for the county seat, is another important place. There is a Presbyterian Church there of some 15 or more members, & but few of other denominations — they were expecting a minister to come to them from Illinois, but none as yet has gone there. [Nor do I suppose any will come from Illinois]. Augusta 10 miles north from M. is at present small, but being situated on [Skunk or rather] Manitou river, at a fine mill seat, is sure to grow to a large place; it has at present no preaching; [except it be by the Methodist once a month — it is full of all iniquity.] Montrose 10 miles down the river, has a beautiful location, & may not improbably become a considerable place; they have no preaching. Further west are various other towns rising up, as Bentons Port on the Des Moines, New Baltimore on the Manitou, Washington, &c. &c. These are all destitute of the Gospel except so far as occasionally the Methodist circuit preacher visits them. There are quite a number of Campbellites in this neighborhood, but I have not heard of any preachers, except one or two who came over last summer from Illinois & preached a few times. They had a meeting in Madison; where there are sev-

eral of that sect. We have in Madison every variety of characters — Christians, & moral men, & votaries of false doctrine, & unbelievers in any; many who neglect religion altogether, and some who avowedly oppose it — but the number of the better class increases, & the moral prospects of the place I think are very encouraging; the improvement since last year at this time is very great. The people come from all parts.

Denmark is a New England town & has all the characteristics of one. It will be, I trust, an important moral & even literary centre to this Territory. It is much to be hoped that their college may succeed — it is to commence as a common school, & the funds are to be raised from town property given to it. If the town should not grow much, the value of this will of course be small. They are expecting a well qualified teacher to come from N. Hampshire this year, who is also a preacher.

I remain with much respect,

Yours in the Gospel

W^m P. Apthorp⁷

William P. Apthorp, the writer of this letter, had had the same training as Aratus Kent. He was born in Quincy, Massachusetts, on March 23, 1806, and received the degree of Bachelor of Arts from Yale in 1829, twelve years after the death of the great Timothy Dwight, who had trained Kent for his pioneer work. But Dwight's spirit yet ruled Yale in the undergraduate years of Apthorp. Dwight, a Congregational minister, had sat in 1793 as a delegate in the General Assembly of the Presbyterian Church. Dwight is today receiving recognition along with Jonathan Edwards, his grandfather. Both were scientists, men of letters, college presidents, and philosophers. Dwight was also a poet and received much praise from his English contemporary, William Cowper. It was in the modified Calvinism of Dwight that Apthorp was trained.

⁷ The writer is permitted to quote this letter through the kindness of Professor Matthew Spinka, managing editor of *Church History*. Grateful acknowledgment is here made. The Apthorp letter was addressed to Rev. Milton Badger, at 150 Nassau St., New York.

Filled with a desire to serve on the frontier, Apthorp studied theology at both Andover and Princeton that he might represent faithfully two of the great pioneering churches, the Congregational and the Presbyterian. After being ordained by the Harmony Association in Massachusetts in April, 1836, he set out for the West. His first two years work he summed up in the famous report quoted above but no Congregational church had yet been founded in Iowa.

This came about, however, two months after Apthorp's report had been received at Boston. On May 5, 1838, the Congregational Church at Denmark was organized. The Dubuque church, sponsored by Kent, did not become Congregational till the next year, 1839. The Denmark church at its organization, the result of Apthorp's work, had thirty-two members who represented every New England State except Rhode Island. The latter State was represented in the congregation but the representative apparently held a theory of baptism which made actual membership in the Congregational Church impossible.

The Articles of Faith adopted by the Denmark church represent the theology of Dwight which may today be read in his published *Sermons* and in his famous *Theology Explained and Defended*.

Briefly put, the articles were as follows. The Bible is the inspired word of God; God exists in three persons; man is fallen and can be redeemed only through the death of Jesus Christ; and the work of the Spirit is essential in regeneration. "Satisfying evidence of Christian character" was the condition of membership, and they added, "the use of and traffic in ardent spirits, except for mechanical, chemical, and sacramental purposes, is in our view inconsistent with Christian character."⁸

⁸ Reed's *Reminiscences of Early Congregationalism in Iowa*, p. 6. Reed's original report was made available to the writer through Rev. Frederick T. Persons.

Wherever Congregationalism or Presbyterianism went, colleges were founded where the sciences, mathematics, and literature flourished. The story of the Denmark Academy, to which Apthorp alluded in his report, is too well known to bear repetition. As in Salem, the first college at Denmark was organized in the church building and held classes there. The cultural life of the pioneers was especially heightened by the coming of the Iowa Band in 1843, and their founding in 1848 of Iowa College at Davenport which was moved to Grinnell in 1859 and later renamed Grinnell College. Until 1856 there were no high schools in Iowa, and higher education was provided for and financed by the religious bodies of the State. Without the churches, Iowa would have had no early colleges. Timothy Dwight was within the bounds of truth when he declared that infidels and atheists were far less concerned about the moral and social welfare of their respective communities than were the Christians.

IOWA CITY CONGREGATIONALISM

In his report of 1838 Rev. W. P. Apthorp refers to "Burlington . . . which is the seat of territorial government". The Territorial law-making body sat at Burlington from 1838 until 1841 when it was transferred to Iowa City. This brought the first Congregational families to the new settlement hewed out of the wilderness the preceding year.

The establishment of the Iowa City Congregational Church and its attendant story may serve to represent the typical Congregational church of early Iowa and its contribution to Iowa's cultural life. The Iowa City church also illustrates the result of the early relationship of the Congregational and Presbyterian bodies resulting from the Plan of Union which began in 1801.

The pioneer commissioners who planned Iowa City built better than they knew. They set aside four half blocks to be used as sites for churches, and this provision was confirmed by the Territorial Legislative Assembly meeting in July, 1840. The fathers wanted the city built without delay, and stipulated that any denomination might claim free one-half a block provided it erected a church building inside of three years. The Methodist Episcopal, Universalist, Roman Catholic, and Methodist Protestant groups accepted, and complied with the provisions of the grant.

During the 1840's pioneer immigrants poured into Iowa in ever increasing numbers. Among these pioneers were many Congregationalists. They found for the most part fellowship with the New School Presbyterian Church, organized in 1841. This church continued the tradition of coöperation with the Congregationalists, although the union of Congregationalists and Presbyterians in the American Missionary Society had been dissolved in 1837. An account of the founding of this Presbyterian Church and the emergence of the Congregational Church was given by Nathan H. Brainerd in a paper which he read in 1881 at the celebration of the twenty-fifth anniversary of the founding of the Congregational Church.

A long time ago the great Presbyterian body split apart, on points of doctrine and phases of the slavery question. The larger and most conservative body took the name of "Old School" while the liberal section took the name of "New School." This latter party was in full accord with the Congregationalists on both of these controverted questions. In 1817 this New School body united with the Congregationalists in forming the American Home Missionary Society, for carrying the gospel to the new settlements extending westward, and thus the work of these two denominations in that society was very closely intermingled. The westward march of these settlements was so rapid that by 1840 they had reached and crossed the Mississippi river, and were flowing over the prairies of

Iowa. Of course these denominations, working together in this society, could not work on distinctly denominational lines, but must organize churches under either form of church polity. The result proved that the denomination with the most elaborate church machinery had a great advantage in securing practical results — that while the Congregationalists furnished far the larger share of the funds the Presbyterians secured far more than their fair share of the organized churches.

But more than this was against our church polity here in the West. The leading Congregationalists of New England distrusted their own polity among the new settlements. They found it all right at home in New England, when they could keep watch and ward over it and lay a hand upon it at any time.

But on the prairies they regarded it as a kind of wild asses' colt, which could not be trusted with its freedom, but must be in ecclesiastical harness that would keep it in proper restraint, and the Presb. brethren had such harness always at hand ready to clap on and land the weakling safe in the fold of Presbytery.

Since our Home Missionary Society became distinctively Congregational it has found the effects of that early folly a mighty barrier to the success of its work in the great North West.

About 1840 the Home Mis. Soc'y. began to take notice of the new Capital of Iowa, and a church was gathered here. Rev. Julius A. Reed, of blessed memory, told me the church here was to have been organized as a Cong. church and the day for the organization fixed and the council called to consummate the work, but just before the time set a great flood came over the country, and as the streams were not bridged it was impossible for the members to get here and so that council was not held, and before any further action was taken Rev. Dr. Woods came here and manipulated it into a New School Presb. church. This was exceedingly unfortunate. . . . The Presb. already had one church here older and stronger than this, which took most of the Presb. who came here, while the Congregationalists, having no church home of their own, scattered among the different churches, and were lost to their denomination. During 1855 & 6 a large number of Congregationalists came from the East to Iowa City. Most of these held aloof from membership with any church in the hope of something better. I came here in May, 1856 . . . and the formation of a Congregational church was discussed among us.

There was one man, J. W. Stow, with considerable means and great energy and rare social qualities, who took the lead in the movement. We held regular prayer meetings at his house Sunday evenings, and gradually developed and consolidated our strength. We called a pastor from Mass., Rev. Thos. Morong,⁹ who commenced work with us before our church was organized. Having no house of worship of our own we occupied the Universalist church, and there Nov. 26th, 1856, we organized the *1st Cong. Church of Iowa City*, by council. The next day we installed our pastor by the same council.

We saw little prospect of permanent success without a house of worship of our own, but felt unable to erect one by ourselves alone. We sent Mr. Morong east to secure aid from there, but he soon reported the eastern cows were milked dry, and would give down little to him. Having failed in his object he did not wish to return, and we were without a pastor. We secured a Mr. Hutchinson for a time, and then Rev. W. W. Allen, of Keokuk. He had been pastor of a Baptist church there, but had committed the unpardonable sin. While by chance in a Presb. church when communion was served he partook with them, and for this his Baptist brethren cast him out. He was an excellent man and did us good service for nearly three years.

The terrible financial crash of 1857 struck us hard. Our members, being mostly new comers, not well established in business, were gradually leaving the city. Others, seeing no prospect for the success of our church, united with other churches, but a remnant remained, hoping against hope, worshiping with other churches but uniting with none, held together by the ties of the blessed memory of communion and fellowship with the choice spirits of our church, which had so nearly vanished from sight, but still to memory dear.

According to a report by Dr. J. W. Healy in 1876¹⁰ the Iowa City Congregational Church, in 1863, considered itself definitely disbanded. He said, quoting one of the older

⁹ The account of Mr. Morong and the struggle of these years of the Congregational Church has been told by Rev. J. S. Heffner in his *History of the Congregational Church of Iowa City* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XV (1917), pp. 70-112.

¹⁰ Healy's *History of the Congregational Church in the Iowa City Republican*, August 2, 1876.

members: "After a varied existence of some eight years, it died and was buried. . . . With its bones were buried many hopes, many pleasant anticipations, and *all* its evil associations. There were preserved of it but hallowed memories of the past friendships that will last through this life, and, we trust, run forward into the eternal." Only twelve members were left, and Dr. Healy comments: "Had it not been for their strong and steadfast adherence to the principles of the Mayflower, in all probability, this church would never have been born, or lived its decennial life." Dr. Healy considered that the First Congregational Church had thus ceased to exist. Later, as we shall see, the question was to arise as to the historic continuity of Congregationalism in Iowa City.

Not till July, 1866, was there a definite agitation for a reorganization of the Congregational Church in Iowa City. The records of these years are meager, but a careful search made for the celebration of the eightieth anniversary of the founding of the church held on December 13, 1936, has uncovered the following records of "The Congregational Church of Iowa City", some scarcely decipherable:

A number of persons desirous to organize a Congregational Church met July 16, 1866, at N. School Presbyterian Church. It was then and there found that about 80 persons from the New School Presbyterian and from the 1st Congregational Churches of Iowa City were desirous and qualified by certificates to be organized into a new Congregational Church. A committee was appointed to draw up articles for a congregational church and society. This committee consisted of Rev. G. D. A. Hebard — N. H. Brainerd and Dr. John Doe. At a subsequent meeting this committee rereported — (a) A constitution for said society — and also (b) Articles of Faith, Covenant and Rules of the church — which were unanimously adopted [All these are missing].

A more detailed report of the meeting on July 16, 1866, reads as follows:

Monday Evening July 16th 1866

At a meeting called at the First Const Presbyterian¹¹ church for the purpose of organizing a Congregational Church & Society Mr. Chas E. Borland was elected Chairman and J. H. Branch Secretary. Mr. B. Talbot made a statement in reference to the action taken by the 1st. Const. Pres. Church & Society on the evening of the 9th inst. Mr. N. H. Brainerd informed the meeting in regard to the wishes and purposes of the members of the First Congregational Church of Iowa City. On motion a Committee consisting of G. D. A. Hebard, N. H. Brainerd & John Doe were appointed to draft articles of faith and a plan of organization for a Congregational Church and Society.

The names of those persons who desire to become members of the proposed Congregational Church, were read by Messrs. Talbot and Brainerd. On motion adjourned to meet on Friday Evening the 20th inst.

J. H. Branch
Secretary

Chas. E. Borland
Chairman

Friday Evening July 20th 1866

At an adjourned meeting held at the First Const. Pres. Church for the purpose of completing the organization of a Congregational Church and Society. The Prest. Chas. E. Borland Esq being absent the meeting was called to order by the Secretary, J. H. Branch, and on motion Rev B. Talbot was elected Chairman. The minutes of the previous meeting were read and approved. Mr. Brainerd from the Committee on organization presented a plan for the organization of a Society. Mr. Hebard from the same Committee reported a "form of admission", "Articles of faith", "Covenant," and "Church rules". The reports were on motion accepted. On motion that part of the report referring to the organization of a society was adopted. Report, herewith & marked "B". [Missing].

An invitation was then given to those present who desired to do so, to sign the Constitution; and the Secretary was on motion em-

¹¹ The New School Presbyterian Church in Iowa City was also known as the First Constitutional Presbyterian Church. The names were interchangeable. Mr. Hebard was pastor of the New School Presbyterian Church at the time of the formation of the new Congregational Church, and was retained by the new church organization.

powered to affix the signatures thereto as the names were called. The names were thereupon called and the signatures affixed as shown on the Constitution reported by the Com. On motion the Society thus organized proceeded to an election of officers. On motion a committee was appointed by the Chairman consisting of John Doe, C. Starr and H. Goodrich to report names of Candidates. On motion a committee consisting of G. D. A. Hebard, N. H. Brainerd and B. Talbot was appointed to cooperate with a similar committee to be appointed by the church in calling a Council for the recognition of this Church and Society. The Committee on Candidates reported the following —

For Prest. N. H. Brainerd

“ Sect’y I. E. Paine (declined)

“ Treast. B. Talbot “

“ Trustees A. C. Isbell, & Levi Smith (not a member)

Report accepted

On motion the following changes were made in the list of names reported. The name of C. F. Clarke was substituted for that of I. E. Paine, that of C. Starr for that of B. Talbot, and that of John Doe for that of Levi Smith. On motion the report as above amended was adopted. That part of the report of the Committee on organization referring to church organization was taken up and the articles of faith & covenant having been read a second time were on motion adopted. The church rules were taken up, read again, and on motion adopted.

Report herewith and marked “C”. [Missing].

On motion a Committee consisting of B. S. Holmes, C. Starr and Z. M. Griswold was appointed to act in conjunction with a similar Committee appointed by the Society to call a Council for the recognition of this Church and Society.

On motion adjourned

J. H. Branch

Secretary

B. Talbot

Chairman

The records add the following history:

A committee of 3 from both Church and Society was appointed to call a Council of ministers and churches to recognize the organization of the church — the society having been organized by signing the constitution. This committee was as follows — On behalf of Society, Rev. G. D. A. Hebard, Rev. B. Talbot and N. H. Brainerd.

On the part of Church — B. S. Holmes, Z. Griswold and Dr. C. Starr.

Council met July 31, 1866 at the N. S. Presbyterian Church — and, after due examination of all the papers, recognized the church as duly organized. Sermon by Rev. G. F. Magoun. Those persons whose names had been found in order for membership, were, after public service, called upon to come forward and publicly assert to the Articles of Faith & covenant, which they did.

Services closed with Benediction.

Fortunately there has been also found a copy of the account of the proceedings of the Ecclesiastical Council:

An Ecclesiastical Council convened at the Stone Presbyterian Church in Iowa City, July 31st/66. 5 o'clock P. M. in response to letters missive from a number of believers in Iowa City desiring to organize a Congregational Church in that City. President G. F. Magoun called to order and read the letters missive calling the Council. On motion Rev. S. D. Cochran was chosen Moderator and P. Fay Scribe.

Council was opened by prayer by the moderator.

Churches represented in Council were

Dubuque Congregational Church	Bro. C. A. Metcalf,	Delegate
Davenport	“ “	Bro. W. A. Bemis, “
Durant	“ “	Rev. H. S. Bullin, “
Muscatine	“ “	Rev. A. B. Robbins “
“	“ “	P. Fay delegate
Grinnell	“ “	Rev. S. D. Cochran, “
“	“ “	Rev. G. F. Magoun “

The place of organization, documents, papers and proceedings together with the Articles of Faith, Covenant, and By-Laws were read by Prof. B. Talbott and also by request the proceedings had at the church, at the several church meetings of the members of 1st Congregational & Presbyterian churches on the 2nd, 9th and 16th of July/66, giving a full and detailed history of the proceedings in the premises towards forming a Congregational Church, 55 names from the Stone Presbyterian Church,¹² with others by letter from other churches, and 20 members by letter from the 1st Congrega-

¹² Locally the New School Presbyterian Church was called the Stone Church. The building was erected in 1845, four years after the church was organized.

tional Church of Iowa City, all desiring to unite in forming a Congregational Church of Iowa City, asking advice of the Council and their recognition and fellowship. After due examination of the whole matter in question, and a full investigation by the council, the council consulted by themselves and appointed of a Committee, Rev. H. S. Bullin and Bro. W. A. Bemis, delegate, to inquire if any further information was necessary to a full and complete understanding of the matter in question, who reported back, *no further communication would be offered the council.*

On motion voted that the documents, papers, and proceedings be deemed satisfactory, and the Articles of Faith, Covenant, and By Laws were approved. On motion voted that the Council proceed to comply with the request of letters missive, by appropriate Religious Services (at 8 o'clock P. M.) of Recognition. Services opened by prayer by Rev. H. S. Bullin. Sermon by Pres. G. F. Magoun from Luke, 16c 18v. Rev. S. D. Cochran called the names of those desiring to unite in forming the Congregational Church of Iowa City, and they responded by coming forward and adopting the Articles of Faith, Covenant, and By Laws, as read by the moderator, and were duly recognized as the Congregational Church of Iowa City.

And the Fellowship of the Congregational Church was extended to them by the Rev. A. B. Robbins in behalf of the council, closing with the Doxology, "Praise God from whom all blessings flow", and benediction by Pres. G. F. Magoun. After services council remained for consultation Pres.^{dt} G. F. Magoun offered the following resolution Resolved that we commend earnestly and affectionately this newly formed church of Christ, to the sympathy of our churches in this State, and elsewhere, and earnestly request the Congregational Union to consider favorably their application for aid in securing a house of worship, and respond to it with the most liberal appropriation that *can be made.* On motion Pres.^{dt} G. F. Magoun, the moderator, and Scribe were appointed a committee to memorialize the Congregational Union in behalf of this Church of Christ. On motion the Scribe was directed to furnish a copy of the proceedings of the Council to the clerk of this church, and the Register of the Davenport Association of Congregational Churches. On motion adjourned.

P. Fay Scribe,

S. D. Cochran
Moderator.

The importance of these records lies not only in the history of Iowa City Congregationalism, but also in their influence on the cultural history of Iowa. Here one sees clearly the transplanting of New England into the Middle West, and the way it took root and developed.

At the time the union was consummated on July 31, 1866, the Reverend George Diah Alonzo Hebard was pastor of the New School Presbyterian Church. Mr. Hebard was also from New England. Born on September 6, 1831, in Brookfield, Vermont, he graduated from Dartmouth College in 1854, and then attended Union Theological Seminary, receiving his diploma in 1857. Union Theological Seminary had been founded in New York City in 1836 when the Presbyterian Church was dividing into two parties, the Old School and the New School. The founders of the Seminary were New School men, and this accounts for Mr. Hebard's theological position in Iowa City. On September 22, 1858, he was ordained to the Presbyterian ministry at Iowa City. Coming to Iowa City in 1861, he served as pastor of the New School Presbyterian Church till 1866. Upon the union of the New School Presbyterian Church with the remnant of the First Congregational Church in 1866, he was chosen acting pastor and continued in this relationship till 1869, when he accepted a call to Oskaloosa, where he died on December 14, 1870, at the early age of thirty-nine.¹³

The newly organized church of 1866 took the new name "The Congregational Church of Iowa City", omitting the word "First" which had designated the organization of 1856. The new church embodied the New School Presbyterian Church, organized in 1841, and the remnant of the First Congregational Church, organized in 1856. Thus the Congregational Church of the present is continuing the

¹³ Grace Raymond Hebard, who died at Laramie, Wyoming, on October 11, 1936, was a daughter of G. D. A. Hebard.

united efforts of two great religious bodies, dating back to the Plan of Union in the early nineteenth century. It is, in reality, the continuation of the New School Presbyterian tradition, which would be ninety-five years old this year.

Regarding the change of name from "First Congregational Church" to "Congregational Church", the Reverend M. A. Bullock, pastor of the church from 1888 to 1889, after making extensive investigation wrote in 1916: "The changing of the name from 'The First Congregational Church' to simply 'Congregational Church' in deference to the New School Presbyterians who came into the present organization July 31st 1866 does not invalidate the historic continuity of Congregationalism in Iowa City these sixty years, yet it may be that through a mere technicality we should write fifty years as the age of the present Church." Much more important than the age of the denomination is the age of Christian fellowship and coöperation and, in this respect, the church goes back to 1841.

CHARLES ARTHUR HAWLEY

STATE UNIVERSITY OF IOWA
IOWA CITY IOWA

THE LEGISLATION OF THE FORTY-SIXTH GENERAL ASSEMBLY OF IOWA

EXTRA SESSION ¹

On August 14, 1935, President F. D. Roosevelt signed the "Social Security Act". This measure included a Federal tax of one per cent on employers for the year 1936, two per cent for 1937, and three per cent after 1937. The Federal act did not, however, set up an unemployment compensation system; it merely provided that in States where approved unemployment compensation laws were enacted, the employers so taxed might deduct the amount paid to the State from the total Federal tax, but this deduction could not exceed 90 per cent of the tax due the Federal government. The Federal government would also pay the cost of administering the unemployment insurance. Such legislation must be passed and approved before December 31, 1936. If no satisfactory State law for unemployment compensation had been passed by that time, the tax levied by the Federal government in that State went into the general fund of the United States and the tax money was lost to the State.²

To secure the benefits of this law for the State of Iowa,

¹ The Constitution of Iowa is not uniform in the designation of sessions of the General Assembly other than the regular biennial sessions. In Article III, Section 25, provision is made for payment of legislators during "extra" sessions. Section 26 of the same Article specifies when laws passed at a "special" session shall take effect. Article IV, Section 11, provides that the Governor may, "on extraordinary occasions", convene the General Assembly by proclamation. Governor Herring's proclamation calling this session of the Forty-sixth General Assembly, refers to it as an "extraordinary" session.

² The Federal "Social Security Act" (August 14, 1935), Secs. 301-303, 901-910.

Governor Clyde L. Herring, on December 16, 1936, called an "extraordinary session" of the General Assembly of Iowa to meet at Des Moines, on Monday, December 21st. The call stipulated that the Assembly was convened "for the purpose of enacting unemployment insurance legislation necessary to comply with the Federal Social Security Law, and for no other purpose whatsoever."³

When the Senate and House assembled on December 21st, an early item of business was the report of the committees on credentials. It appears that several vacancies had occurred in the membership of the Senate and House of the Forty-sixth General Assembly, and that Governor Herring had decided to fill these vacancies by appointing the men who had been elected to the Forty-seventh General Assembly from the districts in which the vacancies had occurred.

Seven men thus appointed by the Governor were seated by the Senate (apparently without question) and served throughout the session. The House Committee on Credentials, however, reported against seating the six men appointed by the Governor to fill the vacancies in the House. The committee pointed out that the Constitution made it the duty of the Governor to call special elections to fill vacancies in the General Assembly, and consequently Article IV, Section 10, giving the Governor authority to fill a vacancy if no other method is provided by the Constitution and laws for filling such vacancy, did not apply in such cases. The House Committee, therefore, held that appointments made by the Governor to fill vacancies in the General Assembly were invalid. The report of the Committee was adopted by a large majority and the House continued its work with only 102 members.⁴

³ *Journal of the Senate*, Extra Session, 1936, p. 1.

⁴ The decision of the House appears to be correct. Section 12, Article III, of the Constitution of Iowa reads as follows: "When vacancies occur in either

At this session (which convened on December 21st and adjourned *sine die* on December 24th), seven measures were introduced. Two of these measures originated in the Senate and five in the House of Representatives. The two Senate measures, both of which pertained to social security, were passed by the General Assembly and became operative. Of the five House bills, the first was a companion bill to Senate File No. 1. On the third day of the session, the Senate File was substituted for the House File and was passed as a Senate measure. Of the remaining four House bills, two pertained to expenses of the session, and were passed by both houses. The other two measures — one a tax reduction measure and the other a homestead exemption bill — did not pertain directly to the social security program and were not seriously considered by the special session. One of them was indefinitely postponed; the other was referred to a committee where it was still held when the session adjourned. Thus of the seven measures introduced in the special session, four were passed and enacted into law, one was incorporated in its companion bill which passed, and the other two failed of passage.⁵

Prior to the convening of the special session a legislative committee had conferred with Federal officials and had drafted an unemployment compensation act which, it was believed, would be acceptable to Federal agencies. This measure was introduced in both houses of the General Assembly and with slight amendments was passed with but two negative votes in the House and one in the Senate.

house, the Governor, or the person exercising the functions of Governor, shall issue writs of election to fill such vacancies.' Since a method is thus provided by the Constitution for filling such vacancies, it would seem that Section 10 of Article IV of the Constitution does not authorize the Governor to fill them by appointment. This section provides for filling vacancies only when "no mode is provided by the Constitution and laws".— *The Editor*.

⁵ Data compiled from Journals of the Senate and House, Forty-sixth General Assembly, Extra Session.

The measure was officially designated as the "Unemployment Compensation Law".⁶

In conformity with the Federal legislation the Iowa law, which became effective by publication, is applicable to employers of eight or more individuals for full or part time during at least fifteen weeks of the year, but it does not apply to services rendered for the State or Federal government or for a political subdivision of the State or Federal government, nor to agricultural labor, domestice service in a private home, or services for a religious or charitable purpose. Employers affected by the Iowa law are required to contribute a sum equal to 1.8 per cent of their payrolls for the last six months of 1936 (and enough additional to make nine-tenths of one per cent of their total payroll for the year 1936), 1.8 per cent for 1937, and 2.7 per cent for 1938 and for each year thereafter up to and including the year 1941. Thereafter the rate shall be based upon "benefit experience" as provided in the law. The purpose of this is to make occupations with the greatest amount of unemployment pay the higher rate.

The moneys thus provided shall be placed in a separate fund known as the "Unemployment Compensation Fund", which shall be set apart from other public funds and administered by a commission set up by this act and known as the Unemployment Compensation Commission of Iowa. Provision was also made for an Unemployment Compensation Administration Fund into which the money provided for administrative expenses is to be paid.

The law provided that the Unemployment Compensation Commission, consisting of five persons should be appointed

⁶ For the details of this law see: *Journal of the Senate*, Extra Session, 1936, p. 25; *Journal of the House of Representatives*, Extra Session, 1936, p. 30; *Unemployment Insurance Act* (pamphlet published by order of the General Assembly of Iowa, 1936), p. 1. This law was amended by the Forty-seventh General Assembly. One amendment reduced the membership of the Commission to three and provided full-time salaries.

not later than March 1, 1937. The Commissioner of Labor should serve as one of the members and the four additional members should be appointed by the Governor, with the approval of two-thirds of the members of the Senate in executive session. It further provided that two of the commissioners should represent labor, two should represent employers, and one should be a representative of the public. The Commissioner of Labor should serve during his term of office, and the other members should serve for terms of six years, except that of the members first appointed, two should serve until June 30, 1941, and two until June 30, 1943. Any member appointed to fill a vacancy shall serve for the remainder of the unexpired term. Provision was also made that in the interim between the passage of the law and the appointment of the Commissioner, the funds were to be administered by the Executive Council.

It is made the duty of the Unemployment Compensation Commission to administer this law in accordance with its terms and with such rules and regulations as may be adopted and published. Such rules and regulations shall not be changed or altered without the publication of proper notice and an opportunity for a public hearing.⁷

The new law also provides that the Iowa State Employment Service as formerly provided in Chapters 75 and 77 of the *Code of Iowa* be transferred to this newly created Commission.⁸

Benefits under this law shall be received by unemployed individuals in the employments specified as subject to the tax. Applicants for compensation must have been properly registered for work, have made proper claims for benefits, and be available for work as provided by law. Provision is

⁷ *The Des Moines Register*, December 19, 20, 24, 1936; *Unemployment Insurance Act* (Iowa, 1936), Secs. 7, 10, 11, 13, 19.

⁸ *Unemployment Insurance Act* (Iowa, 1936), Sec. 12.

also made for the protection of rights and benefits and for representation in court for the enforcement of such rights and benefits.

The Iowa law, hastily drafted, was not looked upon by the legislators themselves as being in a complete and finished form. It was agreed to by them and approved by the Governor, however, because of the time requirement, with the understanding that it may need extensive revision at an early date.⁹

Senate File No. 2, introduced by the Appropriations Committee and passed by both houses, appropriated \$2500 "as a loan to the Unemployment Compensation Administration Fund" as set up in the Unemployment Compensation Act, and provided for a later repayment of such moneys into the general fund of the State. This expense is to be paid by the Federal government out of the 10 per cent reserved for its use.¹⁰

House File No. 2 was passed to authorize the payment of \$20 and mileage to each of the six men who had come to Des Moines to attend the session of the House of Representatives by authority of certificates of appointment issued by the Governor and were denied seats by the House.¹¹ House File No. 3 was a measure passed for the payment of typewriter rentals and other incidental expenses of the session.¹²

JACOB A. SWISHER

STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY IOWA

⁹ *Unemployment Insurance Act* (Iowa, 1936), Secs. 3, 4; *Journal of the House of Representatives*, Extra Session, 1936, p. 34.

¹⁰ Senate File No. 2, Forty-sixth General Assembly, Extra Session, 1936; *Journal of the Senate*, Extra Session, 1936, p. 34.

¹¹ *Journal of the House of Representatives*, Extra Session, 1936, pp. 17, 38.

¹² *Journal of the House of Representatives*, Extra Session, 1936, pp. 22, 38.

SOME PUBLICATIONS

Minnesota Its History and Its People: A Study Outline with Topics and References. By Theodore C. Blegen, with the assistance of Lewis Beeson. Minneapolis: The University of Minnesota Press. 1937. Pp. 237. Maps. This syllabus was prepared as a guide for teachers, students, and study clubs interested in the history of Minnesota. It includes an introduction presenting a survey of the history of the State, a list of fifty-three topics covering Minnesota history, with suggestions for the study of each topic and a list of references, and a number of maps.

The Older Middle West 1840-1880. By Henry Clyde Hubbart. New York: D. Appleton-Century Company. 1936. Pp. ix, 305. Maps. This volume is written to portray the "Social, Economic and Political Life and Sectional Tendencies" of the Older Middle West "Before, During and After the Civil War". The area covered includes the States of Ohio, Indiana, Illinois, Michigan, Wisconsin, Minnesota, Iowa, and Missouri, but the study is not limited to those States. The author describes the growth of western democracy, the conflict between the cultures of the East and South as they were carried into the West, trade, political ideas, leaders such as Stephen A. Douglas and Abraham Lincoln, the attitude of the West toward the issues of the Civil War, peace movements during the Civil War, and the changes following the war. The book is a study of the people's interests, activities, and motives rather than an account of governmental activities. It attempts to tell why people acted as they did as well as how the government functioned. The main emphasis is on political affairs. The volume is provided with footnotes, a comprehensive bibliography, and an index.

Whither Agrarian Economy in the United States, by Louis Bernard Schmidt, has been reprinted in pamphlet form from *Social Forces*, December, 1936.

Illinois Place-Names, by William D. Barge and Norman W. Caldwell, makes up the entire number of the *Journal of the Illinois State Historical Society* for October, 1936.

James William Hook has recently published a volume entitled *Judge Karl Bechtel of Hanau, Germany, His Forbears and Some of His Descendants*. In addition to material on the Bechtel family, the volume includes data on the Laufer, Waldburger, Leopoldt, and Kampe families. Many of the descendants are listed as Iowans.

Joseph Kellogg's Observations on Senex's Map of North America (1710), by Raymond P. Stearns; *A Quarter-Century of a Mississippi Plantation: Eli J. Capell of "Pleasant Hill"*, by Wendell H. Stephenson; *The Middle Western Antecedents of Woodrow Wilson*, by Francis P. Weisenburger; and *Lincoln and the Governorship of Oregon*, edited by Paul I. Miller, are the four articles in *The Mississippi Valley Historical Review* for December, 1936.

The Western Pennsylvania Historical Magazine for December, 1936, includes the following articles and papers: *The Pittsburgh and Cincinnati Packet Line: Minute Book, 1851-1853*, by Elizabeth M. Sellers; *The Glass Industry of Western Pennsylvania, 1797-1857*, by William Bining; *A Cultural Oasis in Northwestern Pennsylvania*, by Russell J. Ferguson; *The Birth and Growth of the Oil Industry*, by Charles L. Suhr; *The Survey in Retrospect*, by Franklin F. Holbrook; and *The Harmar Papers of the Clements Library*.

The Winter number (1937) of the *Michigan History Magazine* contains the following articles: *History of Radio in Michigan*, by Robert L. Kelly; *This Was the Forest Primeval*, by Frank P. Bohn; *Painting and Sculpture in Michigan*, by Clyde H. Burroughs; *Michigan and the Transcontinental Railroad*, by Howard H. Peckham; *A Vanishing Art of the Chippewas*, by Beula Mary Wadsworth; *The Hungarians of Michigan*, by Erdmann Doane Beynon; and *Growth and Shifting of the Business Area of Detroit*, by Eric Kocher.

Mark Twain on the Upper Mississippi, by John T. Flanagan; *Some Sources for St. Croix Valley History*, by Theodore C. Blegen; *Sidelights on the History of the Swedes in the St. Croix Valley*, by

George M. Stephenson; *Finnish Charms and Folk Songs in Minnesota*, by Marjorie Edgar; *The "New York Tribune" and the Minnesota Frontier*, by Ruby G. Karstad; *Making a Motion Picture in 1848 — Journal of Canoe Voyage from the Falls of St. Anthony to St. Louis* (a section of the diary of Henry Lewis); *William Joseph Snelling's Western Narratives*, by John T. Flanagan; and *John McLoughlin, Jr., and the Dickson Filibuster*, by Grace Lee Nute, are articles and documents in *Minnesota History* for December, 1936.

A Trip to the States, a reprint of a diary by J. Allen Hosmer; *Reminiscences of Spink County*, by C. B. Billingshurst; and *Survey of Military Reserve at Ft. Pierre*, by G. K. Warren, are the three articles in the July, 1936, number of the *South Dakota Historical Review*. J. Allen Hosmer was the son of the Chief Justice of Montana Territory. The account written by the fifteen-year-old boy describes a journey from Virginia City, Montana, to Detroit, Michigan, in the fall of 1865, and was printed by young Hosmer himself in 1867. Hosmer crossed Iowa from Sioux City to Clinton.

Military Posts and Camps in Oklahoma, by William Brown Morrison, has been recently published by the Harlow Publishing Corporation of Oklahoma City, Oklahoma. The volume includes sketches of the following forts — Fort Smith, Fort Gibson, Fort Towson, Fort Coffee, Fort Wayne, Fort Washita, Fort Arbuckle, Fort Sill, and many more. Oklahoma, the converging point of white settlements, was a part of the Indian-military frontier for many years, since it was occupied by or was near to the hunting grounds of many warlike tribes. The volume is provided with notes, a bibliography, and an index.

The Political Turmoil of 1874 in Missouri, by Walter B. Stevens; *Social Life in St. Louis from 1840 to 1860*, by Helen Davault Williams; and a continuation of *Missouri In The Spanish American War*, by Ruby Weedell Waldeck, are the three articles which make up the October, 1936, number of *The Missouri Historical Review*. *A Day and Night With "Old Davy": David R. Atchison*, by Walter B. Stevens; *The Battle of Carthage*, by Ward L. Schrantz; and

Missouri, 1804-1828: Peopling a Frontier State, by Hattie M. Anderson, are the articles in the issue for January. Under *Missouriana* are items on *Paroquets in Missouri*; *The Whipping Post and the Pillory in Missouri*; and *Vignettes of Mountain Men*.

James Whitcomb Riley, by George C. Hilt; *John W. Foster, Soldier and Politician*, by Daniel W. Snepp; *Octave Chanute: Pioneer Glider and Father of the Science of Aviation*, by Frank F. Fowle; *James Woodburn: Hoosier Schoolmaster*, by James Albert Woodburn; *Judge Horace P. Biddle*, by Sarah S. Pratt; and *A Search After Truth* (reprinted), by George W. Julian, are articles and papers in the *Indiana Magazine of History* for September, 1936. There is also a third installment of *Beginnings of a Possible Autobiography By a Man of Common Clay*, by the editor. This issue also contains a special section entitled *Indiana Genealogy*, edited by Martha Tucker Morris. This contains *Harrod Deeds in the Clark Grant*, by Susan W. Atkins; *Bible Records*; and *Marriage Records of Tippecanoe County, Indiana*. The December number includes the following articles and papers: *Water-Powered Mills of Flat Rock River*, by Denzil Doggett; *New Indiana Archival Documents*, by Harvey Wish; *Jennings County in the Frontier Period*, by Alice Bundy; *The Century-Old Wright Home*, by Julie LeClerc Knox; *Legend of Cedar Isle*, by Benjamin W. Nevis; *The Indiana Historical Society*, by Christopher B. Coleman; *History for Its Own Sake*, by William O. Lynch; and the *Journal of John T. Williams*.

IOWANA

When Audubon Visited Iowa, by Fred J. Pierce, is one of the articles in *Iowa Bird Life* for December, 1936.

The Farm West Speaks to the Industrial East, by W. W. Waymack, is one of the articles in the *Iowa Farm Economist* for January.

Lincoln Visits My Home Town (Council Bluffs), by Joyce E. Grubb, is one of the articles in the fall, 1936, number of the *Prairie Schooner*, published at Lincoln, Nebraska.

Farm Organization and Management in Webster County, by John A. Hopkins, appears as Bulletin No. 350, issued by the Agricultural Experiment Station of the Iowa State College of Agriculture and Mechanic Arts.

The Torch Press of Cedar Rapids has recently issued *A Second Handful of Western Books*, by J. Christian Bay. The first — *A Handful of Western Books* — appeared in 1935. These books contain comments on many books relating to early western history.

Part two of the *History of Iowa Soldiers' Home*, by Dr. Charles E. Irwin, is published in the December, 1936, number of *The Bulletin of the Linn County Medical Society*. The January and February numbers contain a *History of Iowa Training School for Boys*, by O. S. Von Krog.

Judicial Districts in Northwestern Iowa, by O. H. Montzheimer; *Suel Foster*, by David C. Mott; a continuation of *An Original Study of Mesquakie (Fox) Life*; *Letter from Hon. Delazon Smith*; and a continuation of the *Diary of William Savage* are articles and papers in the *Annals of Iowa* for January.

The series *Iowa Governors Who Were Masons*, by Earl B. Delzell, is continued in the *Bulletin of the Grand Lodge of Iowa, A. F. & A. M.*, for December, 1936, and January and February, 1937. Samuel Merrill, Cyrus Clay Carpenter, and John Henry Gear are the men whose life stories appear in the series for these months.

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Highlights of early Iowa newspapers, in the *Aplington News*, November 4, 1936.

Sketch of the life of Nathan E. Kendall, in the *Des Moines Tribune*, November 4, 1936.

Early history of Dickinson County, in the *Milford Mail*, November 5, 1936.

The first five voters in Madison County, in the *Winterset Madisonian*, November 5, 1936.

The story of Odebolt, by Neil L. Mauer, in the *Sioux City Journal*, November 8, 1936.

A survey of the schools of Iowa, in the *Dubuque Tribune*, November 10, 1936.

Sketch of the life of Julian C. Calhoun, in the *Ottumwa Courier*, November 11, 1936.

Sketch of the life of Harve Ruble, raised near Leon, in the *Leon Journal-Reporter*, November 12, 1936.

Sketch of the life of Mrs. J. M. White of Monticello, in the *Monticello Express*, November 12, 1936.

Mrs. Rosalie De Jaeger is Tama County's oldest resident, in the *Traer Star-Clipper*, November 13, 1936.

The old courthouse at Dakota City, by Harvey Ingham, in the *Des Moines Register*, November 14, 1936.

Sketch of the life of Charles M. Dutcher, in the *Des Moines Register*, November 18, 1936.

Ten Civil War veterans given dinner at Cedar Rapids, in the *Cedar Rapids Gazette*, November 19, 1936.

Inman brothers, formerly of Manly, have a flying circus at Coffeyville, Kansas, in the *Manly Signal*, November 19, 1936.

Congregational churches of Anamosa and Jones County celebrate anniversaries of founding, in the *Anamosa Eureka*, November 19, 1936.

McGregor was named for Alexander McGregor, by Florence Clark, in the *Cedar Rapids Gazette*, November 22, 1936.

The Spirit Lake massacre, by Hattie P. Elston, in the *Sioux City Journal*, November 22, and the *Spirit Lake Beacon*, November 26, 1936.

The political situation in Iowa, by William G. Kerr, in the *Grundy Center Register*, November 26, 1936.

Toolesboro and the mound builders, by Martha Butler, in the *Columbus Junction Gazette*, November 26, 1936.

Stolen corn caused Spirit Lake massacre, in the *Anamosa Eureka*, November 26, 1936.

Thanksgiving Day at Iowa City before the Civil War, in the *Iowa City Press-Citizen*, November 26, 1936.

Charles A. Laurance's story of Cedar Rapids, by Fred C. Henson, in the *Cedar Rapids Gazette*, November 29, 1936.

West Union was known as Knob Prairie until 1850, by Blanche M. Beall, in the *Cedar Rapids Gazette*, November 29, 1936.

Sketch of the life of George W. Clarke, in the *Des Moines Register*, November 29, 1936.

George W. Matsell left New York to live in Iowa, by Ernest P. Mickel, in the *Des Moines Register*, November 29, 1936.

Sioux City in the eighties, by Paul F. Sturges, in the *Sioux City Journal*, November 30, 1936.

Sketch of the life of George W. Clarke, in the *Council Bluffs Nonpareil*, December 2, 1936, and the *Adel News*, December 2, 1936, and February 3, 1937.

Iowa's Capitol is sixty-five years old, in the *Onawa Democrat*, December 3, the *Oelwein Register*, December 5, and the *West Union Union*, December 10, 1936.

Diary of Esther Pillsbury who came to Iowa lake region in 1863, in the *Milford Mail*, December 3, 1936.

The Cruikshank family at Fort Madison, in the *Mt. Pleasant Free Press*, December 3, 1936.

Pioneer stories of Boone County, by C. L. Lucas, in the *Madrid Register-News*, December 3, 1936, February 18, 1937.

Pulaski Mennonite Church is seventy-five years old, in the *Bloomfield Democrat*, December 3, 1936.

The Hamlin Garland schoolhouse, by Calvin H. Jones, in the *Charles City Press*, December 4, 1936.

Sketch of the life of Will C. Whiting, in the *Sioux City Journal*, December 6, 1936.

Decorah was named for Indian grandson of French trader, by E. C. Bailey, in the *Cedar Rapids Gazette*, December 6, 1936.

Amana corporation buys out electric equipment company, by Adeline Taylor, in the *Cedar Rapids Gazette*, December 6, 1936.

Site of Indian village found near Glenwood, in the *Glenwood Opinion-Tribune*, December 7, and the *Council Bluffs Nonpareil*, December 9, 1936.

Fairview is one of Monroe County's oldest towns, in the *Albia News*, December 7, 1936.

Story that Kate Myers, a teacher at Shenandoah, was the inspiration of Riley's "That Old Sweetheart of Mine", in the *Estherville News*, December 8, 1936.

Sketch of the life of A. Springer, in the *Burlington Hawk-Eye Gazette*, December 9, the *Columbus Junction Gazette*, December 10, and the *Wapello Republican*, December 10, 17, 1936.

A version of the Spirit Lake Massacre, in the *Ocheyedan Arrow*, December 10, 1936.

Sketch of the life of Mrs. Emil Beuck, widow of the founder of Reinbeck, in the *Reinbeck Courier*, December 11, 1936.

When Iowa City was the capital of Iowa, by Robert W. Houston, in the *Cedar Rapids Gazette*, December 13, 1936.

The story of the battleship *Iowa*, in the *Davenport Democrat*, December 13, 1936.

The Ringling family formerly lived in McGregor, in the *Cedar Falls News*, December 17, 1936.

The Half Breed Tract was a romance of early Iowa, in the *Knoxville Express*, December 17, 1936.

HISTORICAL ACTIVITIES

The Missouri Historical Society held a meeting at the Jefferson Memorial at St. Louis, on January 29, 1937. The speaker was Wm. Glasgow Bruce Carson, who spoke on "The Santa Fe Trail and New Mexico Motion Pictures".

The American Historical Association held its fifty-first annual meeting at Providence, Rhode Island, on December 29, 30, and 31, 1936. Among the papers of special interest to the Middle West were the following: "Agricultural Pressure and Government Response, 1919-1929", by Alice M. Christensen; "The Place of Chicago Grain Elevators in Mid-Western Agricultural History", by Guy A. Lee; "The Sabbath in the West, 1800-1865", by Frederick L. Bronner; "The Historiography of Middle Western Agriculture", by Everett E. Edwards; "Early Land Speculators and the Westward Movement", by Wayne E. Stevens; "Jacksonian Democracy and the Public Lands", by Roy M. Robbins; and "The Historian as Teacher", by W. T. Root.

The Minnesota Historical Society held its eighty-eighth annual meeting at St. Paul on January 18, 1937. Associated with it was the seventeenth annual conference on local historical work in Minnesota. The program included the following papers and addresses: "Local History Work in Minnesota in 1936: A Survey", by Willoughby M. Babcock; "Interviewing the Pioneer and Writing His Biography", by Marjory D. Carter; "Problems in the Historical Records Survey", by Ralph D. Brown; "Minnesota Census Records and Old Age Assistance", by Sara D. Boyce; "My Father's Diary, 1858-1865", by Edward C. Gale; "Old Fort Ridgely as Revealed by the Spade", by G. Hubert Smith; "A Novelist Looks at History", by Mrs. Darragh Aldrich; "George W. Northrup, Frontier Scout", by Gertrude W. Ackermann; "A Footnote on Fire Steels", by Milo M. Quaife; and "History and Democracy", by Robert C. Binkley.

IOWA

The Webster County Historical Society is inviting the public to visit the historical museum located in the basement of the Fort Dodge Public Library. Maude Lauderdale is the curator.

Ellison Orr, who has spent over half a century studying Indian mounds in northeastern Iowa, spoke at a meeting of the business and professional women's club of Charles City on January 11, 1937. His subject was "Prehistoric Indian Mounds and History".

A series of illustrated articles describing the museum of the Historical, Memorial and Art Department at Des Moines has been prepared by James R. Harlan and is being published in more than fifty weekly newspapers of Iowa. The collection includes much interesting Iowa material.

The series of lessons entitled "Exploring the History of Iowa", prepared by John Ely Briggs for an Iowa newspaper syndicate, is continued. Unit three deals with "The Press". The topics presented are: The First Iowa Newspaper, The Territorial Press, Pioneer Journalism, Leading Editors, Farm Journals, and Literary Magazines. Unit four presents the general subject "Agriculture". Lessons so far presented have dealt with Corn, Oats, Hay, Hogs, and Cattle.

The annual meeting of the Howard County Historical Society was held at Cresco on January 12, 1937. The following officers were re-elected: W. H. Tillson, president; Mrs. J. H. Howe, vice president; William Kellow, treasurer; Mrs. C. E. Farnsworth, curator; and C. J. Harlan, secretary. The Historical Society also sponsored a school assembly at Cresco on the evening of February 3rd which was addressed by Edgar R. Harlan, Curator of the Historical, Memorial and Art Department of Iowa, and by Jonas M. Poweshiek, a Mesquakie Indian.

An informal committee met at Des Moines on February 13, 1937, to consider plans for celebrating the centennial anniversary of the creation of Iowa Territory which will occur in 1938. The call for the meeting was issued by W. Earl Hall, editor of the *Mason City*

Globe-Gazette. Representatives of the business and professional men of the State and of various organizations such as the American Legion, the Daughters of the American Revolution, and the Federation of Women's Clubs attended the conference. The committee decided to ask the Governor to appoint an unsalaried committee of twenty-five or more representative men and women of Iowa to make plans for the celebration and a small committee was selected to present the matter to the Governor.

THE STATE HISTORICAL SOCIETY OF IOWA

The State Historical Society and the Iowa Federation of Women's Clubs are again celebrating Iowa History Week. The dates for 1937 are April 19-24 and the general theme is "Iowa in 1837", commemorating the events which occurred in the Iowa country during that year. Among these were the session of the legislature of Wisconsin Territory at Burlington, the movement to divide Wisconsin Territory, the organization of the Miners' Bank at Dubuque, and the land surveys.

The following persons have recently been elected to membership in the Society: Mr. S. P. Benson, Iowa City, Iowa; Mrs. Lena B. Hecker, Iowa City, Iowa; Dr. Harry R. Jenkinson, Iowa City, Iowa; Mr. Jack Johnson, Iowa City, Iowa; Mrs. William Larrabee, Jr., Iowa City, Iowa; Mr. O. H. Montzheimer, Primghar, Iowa; Mr. William H. F. Sener, Iowa City, Iowa; Miss Dorothy Engle Buschbom, State Center, Iowa; Mr. John D. Adams, Des Moines, Iowa; Mrs. Mina W. Ellis, Charles City, Iowa; Mr. E. C. Fishbaugh, Sr., Shenandoah, Iowa; Mrs. Sara Jordan Schlotfeldt, DeWitt, Iowa; and Dr. O. E. Van Doren, Iowa City, Iowa. Mr. Alfred C. Mueller of Davenport, Iowa, has been enrolled as a life member of the Society.

NOTES AND COMMENT

The Greater Iowa Commission, of which Otto S. Muntz is chairman, has issued a number of bulletins and pamphlets on Iowa. The report for 1936 is entitled *Iowa, the Future Inland Empire*.

The Hydraulics Laboratory of the State University of Iowa at Iowa City has installed a collection of old water wheels illustrative of the mills of Iowa. The oldest of the wheels came from the Terrill mill on the Iowa River north of Iowa City and was installed in 1841.

The seventeenth annual history conference was held at the State University of Iowa on February 5 and 6, 1937. The speakers included James T. Shotwell of Columbia University, Nelson V. Russell, formerly of Coe College, now chief of the reference division of the National Archives, Elmer Ellis of the University of Missouri, Harry R. Gideonse of the University of Chicago, Robert C. Brooks of Swarthmore College, and Kirk H. Porter of the State University of Iowa.

The State University of Iowa celebrated its ninetieth anniversary on February 24, 1937, by holding an educational conference in the afternoon and a dinner in the evening. The speakers in the afternoon were President Eugene A. Gilmore of the State University of Iowa, President Lotus D. Coffman of the University of Minnesota, and President James Bryant Conant of Harvard University. Speakers at the dinner, at which President Gilmore presided, included Dr. Benjamin F. Shambaugh, who gave a brief but dramatic sketch of the historical background, Governor Nelson G. Kraschel, President Charles E. Friley of the Iowa State College of Agriculture, President Orval R. Latham of the State Teachers College, President Harry M. Gage of Coe College, and President Walter A. Jessup, of the Carnegie Foundation for the Advancement of Teaching. Portraits of George T. Baker, a member of the State Board of Education since 1909, and president of the Board

since 1925, and William R. Boyd, chairman of the Finance Committee since its organization, were presented to the University.

George W. Clarke, former Governor of Iowa, died at his home in Adel on November 28, 1936. He was born in Shelby County, Indiana, on October 24, 1852, and four years later removed with his family to Davis County, Iowa. As a youth he worked on the farm and attended school as opportunity was afforded. He attended Oskaloosa College, where he was graduated in the class of 1877. The following year he was graduated from the law department of the State University of Iowa. He located for practice at Adel in Dallas County. In 1900 he was nominated and elected to the Iowa House of Representatives where he served four terms, for two of which he was Speaker of the House. He then served for two terms as Lieutenant Governor of the State. In 1912 he was elected to the office of Governor, where he served for two terms. During these years he resided in Des Moines. After leaving the Governor's office he served for one year as Dean of the College of Law at Drake University. He then returned to Adel to re-enter the practice of law. During the later years of his life he was active in social and fraternal affairs, and was always interested in the political activities of the State.

CONTRIBUTORS

CHARLES ARTHUR HAWLEY, Professor in the School of Religion, State University of Iowa. (See *THE IOWA JOURNAL OF HISTORY AND POLITICS*, January, 1935, p. 96, and April, 1936, p. 223.)

JACOB ARMSTRONG SWISHER, Research Associate in The State Historical Society of Iowa. (See *THE IOWA JOURNAL OF HISTORY AND POLITICS*, January, 1936, p. 112, and January, 1937, p. 112.)

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A DECADE OF IOWA CENTENNIALS 1938-1947

One hundred years ago a new and as yet unnamed Commonwealth awaited the cue for its entrance on the national stage. The setting had been long prepared. West of the Mississippi River and north of the State of Missouri lay a land of rolling prairies. The soil was rich and deep. In summer its hills and valleys were covered with thick high grass, and bright flowers dotted the landscape — pink, white, lavender, and blue in the spring, red, yellow, and purple in the late summer and autumn. Timber grew along the water courses and in the rougher areas. Extreme heat in summer and bitter cold in winter were not uncommon, but for the most part the climate was pleasant and healthful. Rain and snow gave sufficient moisture for plants. The growing season was long enough for all crops grown in temperate climates.

For centuries this prairie land had been occupied only by a few nomadic or semi-nomadic Indian tribes. France, Spain, and England had each laid claim to the Mississippi Valley, but used the inland empire only as a pawn in the game of conquest. Then in 1803 a new nation, the United States of America, bought the western half of the Great Valley at a bargain sale, one of the few in history. Both politically and economically the Louisiana Purchase was a master move.

Another generation passed before the westward movement of Americans reached the new purchase; the land was left largely to its Indian occupants. Then the tide of white settlement, drawn ever westward by the magnetic pull of the rich farming lands, reached the Mississippi River.

There the pioneers paused for a few months, fought the brief and inglorious Black Hawk War, and then moved on across the river into what is now Iowa.

This westward movement across the Mississippi Valley was no conquest by kings or governments, no occupation of conquered territory by soldiers: it was a democracy on the march. By boat or covered wagon, on horseback or on foot, the pioneers came into Iowa — farmers, traders, miners, millwrights, bankers, mechanics, carpenters, lawyers, doctors, teachers, preachers, priests, politicians, druggists, merchants, and with them came women and children — all bound for the land of promise (not a promised land). Men heard that the rich lands of the Black Hawk Purchase (in 1832) would soon be on sale at \$1.25 an acre; each community could largely decide its own problems; the area was dedicated to free labor by the Missouri Compromise. This was the paradise of pioneers.

In the groups which soon found homes west of the Mississippi might be found men from New England, tired of plowing the rocky hillsides for scant crops, Quakers from the slave States, hoping to renew their pledge of freedom and equality before God, pioneers from the ague-stricken lowlands of southern Illinois and Indiana, emigrants from Europe, seeking a new home where poor men could hope to become land owners, business men, looking for profitable locations, young professional men hoping to grow up with new communities, politicians, seeking the offices to be.

By the beginning of 1838, the Commonwealth of Iowa had already taken shape and character, although it was not yet named. The Sauk and Fox Indians had ceded a strip of land west of the Mississippi River in 1832 and after the first of June, 1833, settlers had entered claims there with the tacit approval of the United States government. In 1836, Keokuk's Reserve had been sold to the United States,

adding some 256,000 acres to the public domain. The following year, an additional triangle of land (1,250,000 acres) was ceded by the Sauk and Fox, including a part or all of the present counties of Linn, Johnson, Washington, Buchanan, Benton, Iowa, Keokuk, Jefferson, Van Buren, Fayette, Cedar, and Davis.¹

That part of the Louisiana Purchase north of Missouri and west of the Mississippi River left without civil government after 1821 had been included in Michigan Territory in 1834 after a murder and extralegal execution at Dubuque had called attention to the need for laws and courts.² In 1836 Iowaland had been made a part of the newly created Territory of Wisconsin.³ Two counties were established by the legislature of Michigan Territory — Dubuque and Demoiné. As settlements grew these counties were divided and new ones established — Lee, Van Buren, Henry, Louisa, Muscatine, Clayton, Jackson, Benton, Lynn [Linn], Jones, Clinton, Johnson, Scott, Delaware, Buchanan, Cedar, and Fayette.⁴

¹ For an account of these land cessions by the Sauk and Fox see Petersen's *The Terms of Peace in The Palimpsest*, Vol. XIII, pp. 74-89; Kappler's *Indian Affairs. Laws and Treaties*, Vol. II (Treaties), pp. 349-351, 474, 475, 495, 496; Petersen's *The Second Purchase in The Palimpsest*, Vol. XVIII, pp. 88-97.

² Price's *The Trial and Execution of Patrick O'Conner at the Dubuque Mines in the Summer of 1834* in *The Palimpsest*, Vol. I, pp. 86-97; Petersen's *Iowa in Michigan in The Palimpsest*, Vol. XV, pp. 43-55; Swisher's *Government Comes to Iowa in The Palimpsest*, Vol. XV, pp. 67-78; Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 60-73.

³ Swisher's *Creation of the Territory in The Palimpsest*, Vol. XVII, pp. 69-78; Shambaugh's *The Constitutions of Iowa*, pp. 50-58; Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 78-99.

⁴ For a history of the establishment of counties in Iowa see Garver's *History of Establishment of Counties in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. VI, pp. 375-456; Swisher's *History of the Organization of Counties in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XX, pp. 483-576. For the organization of the first two counties see Gallaher's *Government in Iowa* (in 1836) in *The Palimpsest*, Vol. XVII, pp. 79-96.

Churches had been built.⁵ Schools had been opened. Three newspapers had been started — the *Du Buque Visitor*, May 11, 1836; *The Western Adventurer and Herald of the Upper Mississippi*, at Montrose, on June 28, 1837; and the *Iowa Territorial Gazette and Burlington Advertiser*, moved to Burlington on July 20, 1837.⁶ Mail was delivered at first from Illinois post offices, but Gibson's Ferry (Augusta), Iowa (Montpelier), Peru, and Wapello had post offices before 1838.⁷ The Miners' Bank of Dubuque, chartered in 1836 and opened for business in 1837, was the first bank in Iowa and the only one legally incorporated until after the Constitution of 1857 was adopted. It lasted through the entire Territorial period.⁸

The first Fort Des Moines⁹ (at the mouth of the Des Moines River) was established in 1834 and from it Colonel S. W. Kearny and his dragoons had marched out in 1835 on the expedition up the Des Moines Valley and northeastward to the Mississippi.¹⁰ Albert M. Lea, one of the lieutenants on this journey, had published a little book in 1836 which suggested the name for Iowa Territory.¹¹

⁵ For the building of the first church see Gallaher's *The First Church in Iowa* in *The Palimpsest*, Vol. VII, pp. 1-10.

⁶ Stout's *The First Five Years* in *The Palimpsest*, Vol. XVII, pp. 129-136; Petersen's *Du Buque Visitor* in *The Palimpsest*, Vol. XVII, pp. 117-128.

⁷ For a list of the post offices in Iowa before 1840 see Petersen's *Some Beginnings in Iowa* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXVIII, pp. 34, 35.

⁸ Gallaher's *The First Bank in Iowa* in *The Palimpsest*, Vol. XVIII, pp. 103-112; Preston's *History of Banking in Iowa*, pp. 10-34.

⁹ Gallaher's *Fort Des Moines in Iowa History in Iowa and War Series*, No. 22.

¹⁰ Petersen's *Across the Prairies of Iowa* in *The Palimpsest*, Vol. XII, pp. 326-334.

¹¹ Lea's *Notes on The Wisconsin Territory* (reprinted in 1936 by the State Historical Society of Iowa under the title *The Book that Gave to Iowa its Name*); Gallaher's *Albert Miller Lea* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXIII, pp. 195-241.

Towns had been started, some destined to become cities, many others to languish or to die. Lea's map (based on conditions in 1835) listed Peru, Du Buque, Bellevue, Parkhurst, Davenport, Throckmorton's Landing, Iowa (Montpelier), Burlington, Madison (Fort Madison), Keokuk, Gibson's Ferry (Augusta), and Richland. A law authorizing the incorporation of towns having a population of 300 or more had been passed by the Wisconsin Territorial legislature.¹²

Surveying the Half-Breed Tract in Iowa had begun as early as 1832, but it was not until 1836 that the systematic survey of township lines in the Iowa area was started. The year 1837 saw the survey of the Black Hawk Purchase nearly completed. The Federal government was soon prepared to sell the land to settlers who had, so far, only the extralegal right of claim owners.¹³

After much debate and many recriminations, the capital of the original Territory of Wisconsin had been (in 1837) located at Burlington until March 4, 1839, and there Jeremiah Smith had built a capitol building in which the legislature met in the autumn of 1837. Unfortunately this building was burned on December 13, 1837.¹⁴

The year 1838 promised to be a busy and important period for the Iowa area and this activity continued throughout the Territorial years; centennial anniversaries are fre-

¹² *United States Statutes at Large*, Vol. V, pp. 70, 71, 178, 179; *Laws of the Territory of Wisconsin*, 1836-1837, pp. 65-70. For references on Iowa towns, see Petersen's *Two Hundred Topics in Iowa History*, pp. 62-65. For lists of abandoned towns see Mott's *Abandoned Towns, Villages and Post Offices of Iowa* in the *Annals of Iowa* (Third Series), Vols. XVII and XVIII.

¹³ Swisher's *Township Surveys in the Iowa Country* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXV, pp. 3-21; Shambaugh's *Frontier Land Clubs or Claim Associations*, reprinted from the *Annual Report of the American Historical Association*, 1900, Vol. I, pp. 67-84. See also the list of references in Petersen's *Two Hundred Topics in Iowa History*, pp. 28, 29.

¹⁴ Haefner's *The Capitol at Burlington* in *The Palimpsest*, Vol. XVIII, pp. 98-102; Shambaugh's *The Constitutions of Iowa*, pp. 61-68.

quent and important. Settlers continued to pour into the area. New communities, with homes, stores, churches, schools, and courts, grew up almost overnight.¹⁵ New governments — Territorial and State, municipal and county, were organized. Elections were held. Indian tribes were dispossessed and moved out. Societies were formed. Schools were established. Roads were laid out. Ferries were authorized and bridges were built. Two Constitutions were drafted. The State of Iowa was born and began to function.

To present a detailed list of all the events which happened in Iowa from the first of January, 1838, to the first of January, 1848, would be difficult and tedious. Each community has its own anniversaries — the first settlers, the first school, the first churches, the first courts, the post office, business enterprises, storms, crimes, and all events which make up community history. It is the purpose of this brief article to suggest only some of the highlights of this decade of centennials, to point out some of the more important activities and events which are of interest to the Commonwealth as a whole. Many other events might be listed.

Centennial celebrations need not, of course, be limited to towns, counties, communities, institutions, or organizations in existence before 1847. Iowans everywhere may celebrate the purchase of Louisiana (including the Iowa area), the creation of the Territory of Iowa, and the admission of Iowa as a State, just as all Americans, whether they live in the original States, in Iowa, or in Alaska, celebrate the Declaration of Independence and the adoption of the Constitution. The outstanding events of this decade of Iowa centennials are, of course, the creation of the Territory of Iowa (on June 12, 1838) and the admission of the State of Iowa

¹⁵ For a description of Iowa in 1837 see Petersen's *Land of Promise in The Palimpsest*, Vol. XVIII, pp. 65-77.

(on December 28, 1846). In these events all Iowans have an interest.

The demand for a separate Commonwealth west of the Mississippi seems to have developed almost as soon as the original Territory of Wisconsin began to function. This movement appears to have been partly due to the geographical boundary — the Mississippi River. Rivalry soon developed between the east and west sections which were almost equal in population. Again individual initiative, the spark of democracy, took the lead. A meeting held at Burlington on September 16, 1837, recommended that the people residing west of the Mississippi River select delegates to a convention. No doubt Burlington had visions of being the capital city of the proposed Territory.

The idea received popular favor. Extralegal delegates representing the counties west of the Mississippi convened in the hall of the Legislative Assembly at Burlington on November 6, 1837, and organized as a "Territorial Convention", which sat for three days. Its meeting coincided with the convening of the Wisconsin Territorial legislature. On November 8th, this "convention" drew up three memorials to Congress, one of which emphatically urged a division of Wisconsin Territory and the organization of the area west of the Mississippi as a separate Territory. Members of the Legislative Assembly of Wisconsin Territory were impressed and on November 17th the House adopted a similar memorial. This was signed by the President of the Council on November 23rd, although there is no record of a vote in the Council. It was then sent to Congress.¹⁶

In spite of some opposition in Congress, the wish of the settlers was granted, and on June 12, 1838, President Martin Van Buren signed the act establishing the Territory of

¹⁶ Shambaugh's *The Constitutions of Iowa*, pp. 61-67; letters from Louise Phelps Kellogg, dated May 26, June 1, 1937.

Iowa, including approximately all the area west of the Mississippi north of the northern boundary of Missouri, westward to the Missouri and White Earth rivers and northward to the Canadian boundary. This Organic Act went into effect on the following 4th of July.¹⁷ An informal celebration of this enactment and of the Declaration of Independence occurred at Fort Madison on July 4th. Black Hawk, a pathetic elderly figure, made what proved to be his farewell public appearance on this occasion, for he died on the third of the following October.¹⁸

Governor Robert Lucas, appointed to head the new Territorial government on July 7, 1838, arrived in Iowa Territory on August 15th, taking up his executive office at Burlington. Here he met William B. Conway, the Secretary of Iowa Territory, who had been Acting Governor in the absence of Lucas. Ten days later Governor Lucas proclaimed September 10th as the date of the first election of members of the Iowa Territorial legislature and this election was duly held. The members elected convened at the call of the Governor at Burlington on November 12, 1838, meeting in the Old Zion Church. The members were, relatively, young men; the average age of the members of the Council was forty-two, that of the Representatives thirty-five. Of the thirty-nine members, twenty-three were farmers.¹⁹

These legislators were pioneers, used to creating or at least reestablishing institutions and making the laws necessary for the protection of pioneer society. Several acts of some permanent importance were adopted. The incorporation of agricultural societies was authorized (December 19, 1838), and an act establishing common schools was passed

¹⁷ Shambaugh's *Documentary Material Relating to the History of Iowa*, Vol. I, pp. 102-116.

¹⁸ Cole's *Life of Black Hawk* (manuscript).

¹⁹ Parish's *Robert Lucas*, pp. 167-179.

(January 1, 1839). Nor was higher education disregarded. On January 23rd, the legislature authorized the establishment of seminaries at Fort Madison, West Point, Burlington, Farmington, Bentonsport, Rockingham, Keosauqua, Dubuque, and Davenport. On January 25th, provision was made for a road, known later as the Old Military Road, which was to run from Dubuque to the Missouri boundary. An act of the same date established a penitentiary at Fort Madison "to receive, secure, and employ" 136 convicts. A great seal for Iowa Territory was authorized by a joint resolution adopted on January 4, 1839.²⁰

Perhaps the most important act of the First Legislative Assembly was the location of the capital. After much bickering and debate, the legislators agreed to appoint three commissioners who were to select a site in Johnson County. This act was approved on January 21, 1839. A capital was to be established on the site selected and named "Iowa City". May first (1839), was set for the meeting of the commissioners and Napoleon, then serving as the county seat, was the meeting place. When the day arrived, however, only one commissioner, Chauncey Swan, was on hand: two were necessary for legal action. What to do? A young man from a nearby farm, Philip Clark by name, answered this question by riding thirty-five miles to the home of John Ronalds in Louisa County, and back, bringing the tardy official with him. There were no British troops on the way, though there may have been a few Sauk and Fox Indians in

²⁰ *Laws of the Territory of Iowa, 1838-1839*, pp. 180-183, 227-229, 244-248, 365-369, 430, 431, 516; Van Ek's *Great Seals of Iowa in The Palimpsest*, Vol. V, pp. 378, 379. It appears that the Iowa political leaders were not slow to take advantage of the generosity of the Federal government. The Organic Act made provision for a grant of \$20,000 for public buildings. On July 7, 1838, an unobtrusive item in a general appropriation act granted another \$20,000 for public buildings without specifying where they were to be erected. This money was used for the penitentiary. On August 29, 1842, an additional grant of \$15,000 was made by Congress for the penitentiary. — *United States Statutes at Large*, Vol. V, pp. 239, 240, 266, 537.

the neighborhood, but this ride compares favorably with the feat of Paul Revere. It meant riding seventy miles in twelve hours over the rough trails or the unmarked prairies of Iowa. There were some who wondered whether Chauncey Swan's watch was running all the time, but at any rate the second commissioner arrived when the hands said five minutes of twelve — midnight being the deadline — and the race was won.

On the fourth of May, the commissioners made their choice of a site on a hill looking down on the Iowa River and there drove a stake to mark the location of Iowa City. Two months later, on July 4th, a celebration was held on the site, the Stars and Stripes floating from the top of an oak tree trimmed of its branches.

Plans were soon made for the construction of a capitol building. John F. Rague was employed as the architect and a contract was made for the erection of the building. A year later, on July 4, 1840, the cornerstone of the capitol (now known as the Old Stone Capitol) was laid.²¹

When Congress created the Territory of Iowa it made provision for ascertaining the southern boundary which was in dispute because of inconsistencies in the surveys. That fall Albert M. Lea was commissioned to report which line was correct. He reported on January 19, 1839, that the designations of the various lines were conflicting and that Congress should decide which line should be considered legal. Congress did not, however, act at this time and the pioneers along the boundary were soon quarreling over county lines and jurisdictions.

Governor Lucas entered into the dispute with zest. On July 29, 1839, he issued a proclamation urging the Iowa of-

²¹ For the story of the founding of Iowa City see Shambaugh's *Iowa City: A Contribution to the Early History of Iowa*; and Hoffman's *John Francis Rague — Pioneer Architect of Iowa* in the *Annals of Iowa* (Third Series), Vol. XIX, pp. 444-448.

ficials to maintain the rights of Iowa and the United States. Some bee trees, just north of the boundary claimed by Iowa, were cut down by Missourians and came near to precipitating a war between the State of Missouri and the Territory of Iowa. Governor Lucas ordered the muster of Iowa militia on December sixth. The Missouri militia had already been assembled. But fortunately cooler heads prevailed and it was agreed that the dispute should be left to Congress for decision. The "Honey War" as it was called was ended when, on December 12th, the Missouri militia disbanded.²²

A census taken in 1838 reported 22,859 white persons in Iowa Territory. Two years later there were 43,112. In 1844 the number had increased to 75,152. By 1846 when Iowa was admitted as a State the population had reached 102,388 and a year later it was 116,454.²³

On January 18, 1838, the legislature of Wisconsin Territory (in session at Burlington) passed an act fixing the boundaries and locating the county seats of Lee, Van Buren, Des Moines, Henry, Louisa, Muscatine, and Slaughter counties. Several changes were made in the boundaries of these counties after the Territory of Iowa was created. Jefferson County was created on January 21, 1839, and on January 25th the name of Slaughter County was changed to Washington. On the third of March, 1839, Congress authorized the Iowa Territorial legislature to provide for the election or appointment of sheriffs, judges of probate, justices of the peace, and county surveyors.²⁴

²² Eriksson's *The Honey War* in *The Palimpsest*, Vol. V, pp. 339-350; *Report Made by Albert Miller Lea on The Iowa-Missouri Boundary* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXIII, pp. 246-259.

²³ *Historical and Comparative Census of Iowa, 1836-1880*, p. 168.

²⁴ *Laws of the Territory of Wisconsin, 1837-1838*, pp. 381-384; *Laws of the Territory of Iowa, 1838-1839*, pp. 89-101; *United States Statutes at Large*, Vol. V, p. 357.

Later in the Territorial period (on February 17, 1843) nine new counties were established — Davis, Appanoose, Wapello, Kishkekosh (changed to Monroe on January 19, 1846), Mahaska, Iowa, Poweshiek, Tama, and Black Hawk. Marion County was created on June 10, 1845. On January 13, 1846, twelve counties were established — Wayne, Lucas, Warren, Polk, Marshall, Jasper, Story, Boone, Dallas, Madison, Clarke, and Decatur. Two counties — Allamakee and Winneshiek — were established by a law dated February 20, 1847, and five counties — Ringgold, Taylor, Page, Fremont, and Pottawattamie — were carved out of the Pottawatomie cession by an act approved on February 24, 1847.²⁵

Bellevue and Peru had, it appears, not attained the population of 300 required for the incorporation of towns under an earlier law and so, on January 12, 1838, the Wisconsin legislature authorized these communities to incorporate despite the lack of population. Apparently it was not easy for local communities to establish municipal government by voluntary action. At any rate, on January 19, 1838, the first special charters were issued for "cities" in Iowa — Burlington and Fort Madison were given ready-made charters. During the period of Iowa's Territorial government, fourteen additional charters were granted to Iowa cities, some municipalities being given a second charter. Bloomington (now Muscatine) was granted a charter on January 23, 1839, and Davenport was supplied with a form of government two days later. Salem, on January 14, 1840, and Du-

²⁵ *Laws of the Territory of Iowa, 1843-1844*, p. 142, 1845, pp. 66, 93, 1845-1846, pp. 73-75, 108; *Revised Statutes of the Territory of Iowa, 1842-1843*, pp. 131-135; *Laws of Iowa, 1846-1847*, pp. 32, 33, 37, 81, 114, 115. For additional references on Iowa counties see Petersen's *Two Hundred Topics in Iowa History*, p. 26. A list of Iowa counties with the dates of establishment and organization is given in Swisher's *History of the Organization of the Counties in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XX, pp. 574-576.

buque, on January 17, 1840, were given incorporation acts by the Second Legislative Assembly. Farmington (January 11, 1841) and Nashville and Iowa City (January 15, 1841), Mount Pleasant (January 25, 1842), Keosauqua (February 17, 1842) were later incorporations by special acts of the Territory of Iowa. New or revised charters were also granted during this period to the towns of Farmington, Davenport, Fort Madison, Iowa City, and Burlington. Dubuque had three charters. Fairfield received a charter from the State of Iowa on February 9, 1847, and Keokuk was granted a charter on February 23rd. A number of these charters were, it appears, never used, the pioneers being familiar with the adage, "You may lead a horse to water, but you can't make him drink".²⁶

A general law for the organization of townships by the various boards of county commissioners was approved on February 17, 1842. A number of townships had already been established by special acts. Townships at that date had relatively large powers. They were responsible for roads, for the care of the poor, for the regulation of fences, and the marks or brands on livestock.²⁷

While the capitol at Iowa City, almost perfect in its proportions and symmetry, rose slowly, the government continued to function. On the sixth of December, 1841, the Territorial legislature convened for its first session at Iowa City, but not yet in the capitol. Instead it met in a frame building, constructed by a public-spirited citizen, Walter Butler. It was not until a year later — on December 5, 1842, that the legislature met in the still incomplected capi-

²⁶ Robeson's *Special Charter Cities in Iowa*, pp. 187-189; *Laws of the Territory of Wisconsin*, 1837-1838, pp. 212, 213, 470, 481; *Laws of the Territory of Iowa*, 1838-1839, pp. 248, 265, 1839-1840, pp. 72-75, 124-128, 1840-1841, pp. 33-36, 88-91, 97, 100, 1841-1842, pp. 14-16, 41-47, 74-80, 107-110, 1845, pp. 73-85, 1845-1846, pp. 114-124; *Laws of Iowa*, 1846-1847, pp. 49-52, 104-114, 154-160.

²⁷ *Revised Statutes of Iowa*, 1842-1843, pp. 617-625.

tol building. It was to continue to meet there until the removal of the capital to Des Moines in 1857.²⁸

Governor Robert Lucas, a Democrat, was removed to make room for John Chambers, a Whig, who was appointed to office on March 25, 1841, and reached Burlington on May 12th taking the oath of office the following day. Evidently he was not superstitious. A little more than four years later Chambers yielded the office of Governor of Iowa Territory to James Clarke, a Democrat, whose appointment was dated November 18, 1845.²⁹

At the first election (September 10, 1838), William W. Chapman was elected Delegate to Congress. On March 3, 1839, Congress fixed October 27, 1840, as the end of his term of office and authorized the election of a Delegate to serve until March 4, 1841. Augustus Caesar Dodge was the choice of the Iowa voters at the election held on October 5, 1840. According to the act of Congress, his term began on October 28th, but he did not take his seat until December 8, 1840, when Congress convened. He was reëlected in 1841 and 1843 and held office until December 28, 1846, when the act formally admitting Iowa as a State was approved.³⁰

In the meantime, the movement toward statehood went on. When Governor Robert Lucas delivered his message to the Territorial legislature on July 14, 1840, he recommended that the voters be permitted to express their opinion as to whether or not a constitutional convention should be held. In response to this — or perhaps in spite of it — an act was adopted on July 31, 1840, providing a referendum on the holding of a constitutional convention. The vote,

²⁸ Shambaugh's *Iowa City: A Contribution to the Early History of Iowa*, pp. 57, 58; Lathrop's *The Capitals and Capitols of Iowa in the Iowa Historical Record*, Vol. IV, pp. 97-124.

²⁹ Parish's *Robert Lucas*; Parish's *John Chambers*, pp. 113, 114, 122.

³⁰ *United States Statutes at Large*, Vol. V, p. 357; Pelzer's *Augustus Caesar Dodge*, pp. 64, 72, 73, 84, 105.

cast on October 5, 1840, was 2907 to 937 against the holding of a convention. Two years later, by an act approved on February 16, 1842, a second referendum was held on August 1, 1842. Again the voters turned down the proposal for a constitutional convention; this time the vote was 6825 against the proposition and 4129 for it.³¹

But the formulation of a Constitution was inevitable. On February 12, 1844, the Iowa legislators provided for another referendum on the proposal to choose delegates to a convention at the election which would be held on April 1, 1844. The act also made plans for the convention, in case the vote was affirmative. The proposition carried by a large majority and the election of delegates occurred at the election held on August 5, 1844. This convention convened in the capitol at Iowa City on October 7, 1844, and adjourned on November first. The Constitution drafted at this session was twice submitted to the voters of Iowa — on April 7, 1845, and on August 4, 1845, and was twice rejected, largely on account of a dispute over the boundaries. The boundaries fixed by the Constitution of 1844 (known as the Lucas boundaries), were the same as the present boundaries of Iowa on the east, south, and west, but extended farther north. An act of Congress, approved on March 3, 1845, had authorized the admission of Iowa and Florida — a free and a slave State. The boundaries specified for Iowa (known as the Nicollet boundaries) would have extended the new State only about three-fourths of the way to the Missouri River and about forty-five miles north of the present northern boundary.

On January 17, 1846, the Territorial legislature made provision for a second convention to be elected at the general elections on April 6, 1846. The delegates elected at

³¹ Shambaugh's *The Constitutions of Iowa*, pp. 99, 100, 104, 106; *Laws of the Territory of Iowa*, 1840, Extra Session, pp. 46, 47.

this time assembled in the capitol building at Iowa City on May 4, 1846, adjourning fifteen days later. The Constitution drafted by this group was submitted to the voters on August 3, 1846, and was approved, although by the small majority of 456 votes out of a total of 18,528. On the following day (August 4, 1846) Congress adopted a second act accepting the boundaries proposed by the Iowa Convention (previously recommended, on March 27, 1846, by the House Committee on Territories).³²

In accordance with the statute of January 17, 1846, Governor James Clarke issued a proclamation on September ninth setting Monday, October 26, 1846, as the date of the first election of State officers. On November fifth he designated November 30, 1846, as the day for the convening of the newly elected General Assembly and on December second sent his last message to the legislature. The following day Ansel Briggs was inaugurated as the first State Governor. The last step in the making of a new State was the act of Congress approved by President James K. Polk on December 28, 1846, formally accepting the Constitution of Iowa and admitting Iowa as a State. Iowa had made her entrance on the stage of national affairs.³³

At this first session of the General Assembly a Great Seal, an elaborate design still in use, was provided by an act approved on February 25, 1847.³⁴

But government was not the only interest of the Iowa settlers. They had, for the most part, come for land. When would the government put the lands on sale? The first land offices in Iowa — one at Dubuque and one at Burlington —

³² See Shambaugh's *Maps Illustrative of the Boundary History of Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. II, pp. 369-380.

³³ *Laws of the Territory of Iowa*, 1843-1844, pp. 13-16, 1845-1846, pp. 37-40; Shambaugh's *The Constitutions of Iowa*, pp. 115, 116, 185-212; *United States Statutes at Large*, Vol. V, pp. 742, 743, 789, Vol. IX, pp. 52, 53, 117.

³⁴ *Laws of Iowa*, 1846-1847, Ch. 112.

were established on the day the Territory of Iowa was created — June 12, 1838. Settlers in these districts could buy the farms on which, up to this time, they were merely “squatters”. The proclamation for the first sale of public lands in Iowa was issued on July 6, 1838. The first purchase of land at Burlington was made on October first under a preëemption law of June 22, 1838. The land office was opened at Dubuque on September 24, 1838, and the first public sale of land was held there on November 5, 1838, and at Burlington on November 19th.

At the public sale held in accordance with this proclamation, Augustus Caesar Dodge, register of the Burlington office, sold some 236,396 acres of land at \$1.25 an acre. On June 30, 1842, the land office at Burlington was closed and on August 1, 1842, an office was opened at Fairfield. The Dubuque office was transferred to Marion on February 20, 1843. The only other land office established in Iowa during this period was located at Iowa City by an act of Congress approved on August 8, 1846. In the meantime the survey of the public lands went on, the surveyors following the Indian retreat across Iowa. By 1847, the area west approximately to a line running north and south through the site of Des Moines had been surveyed.³⁵

Most of the settlers were anxious that the land on which they had located be put on sale, desiring to secure legal title to their claims. Some, however, wished for a longer time in which to collect the hard-earned cash for payment, for the government took no notes, no mortgages. Cash or land warrants were required.

To protect their claims during the period which frequently intervened before the land was put on sale, the Iowa pi-

³⁵ Donaldson's *The Public Domain*, p. 174; Swisher's *Township Surveys in the Iowa Country* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XXXV, pp. 10-13; Pelzer's *Augustus Caesar Dodge*, pp. 57, 61; Newhall's *Sketches of Iowa* (1841), pp. 47-49.

oneers often organized claim clubs or claim associations. These extralegal associations did two things for their members: they settled disputes over claims and protected the claimant in his recognized rights until the land was put on sale; and they saw to it that no speculator was allowed to bid on a member's approved claim and raise the price above \$1.25 an acre.

A claim association had been formed in the vicinity of Burlington as early as October 12, 1833, and the plan moved westward with the twilight zone of settlement beyond the lands sales. The Johnson County Claim Association adopted its constitution on March 9, 1839. Claims or contracts made concerning improvements on them were generally recognized by Territorial laws although they were extralegal and settlement on the public domain not on sale was prohibited by Federal law. On January 15, 1839, the Iowa Territorial legislature passed a law entitled "An act to provide for the collection of demands growing out of contracts for sales of improvements on public lands." The following year (1840) the Iowa Territorial Supreme Court rendered a decision holding such contracts legal.³⁶

To keep order during the removal of the Indian tribes and the advance of white settlers, the United States government established four temporary forts in the Iowa area during the years 1838-1847. In the spring of 1840, a company of soldiers moved over from Fort Crawford and on May 31st encamped on Turkey River among the Winnebago Indians. The following year barracks were constructed and the camp was named Fort Atkinson. This fort had a relatively long life for it was not until February 24, 1849, that

³⁶ Shambaugh's *Early Land Claims in Des Moines County* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. X, pp. 255-260; Shambaugh's *The Constitutions of Iowa*, pp. 27-49; Hill v. Smith, Morris' *Iowa Reports*, 70; Shambaugh's *Constitution and Records of the Claim Association of Johnson County, Iowa*.

the soldiers tacked up the sign "Farewell to bedbugs" and withdrew.³⁷

On August 7, 1842, Captain James Allen arrived at Fort Atkinson with a company of dragoons from Fort Leavenworth. From there he marched to the vicinity of the Sauk and Fox agency some twenty miles west of Fairfield, and there occupied some cabins of the American Fur Company. This encampment was named Fort Sanford. On November 12, 1842, Captain Allen went to the mouth of the Raccoon River and there established a fort on the point of land at the junction of the two rivers which he named Fort Raccoon. The War Department, however, preferred Fort Des Moines. On May 17, 1843, the troops abandoned Fort Sanford and on May 21st settled down at Fort Des Moines where they remained until the spring of 1846. Fort Croghan, at the site of the present day Council Bluffs, was established on May 31, 1842.³⁸

In addition to the movements to and from these forts, the War Department kept detachments on the move across the border zone of Indian removal and white settlement. On September 17, 1841, Lieutenant Thomas McCrate's company of fifty dragoons encamped at Iowa City. Their presence, it was hoped, would influence the Sauk and Fox to agree to cede additional land, but the cession was delayed until 1842, when the soldiers supervised the treaty meeting at the agency (now the town of Agency, Wapello County). In the summer of 1844 and again in 1845, the dragoons under Captain Allen and Captain Edwin V. Sumner marched across Iowa to the north and northwest.³⁹

³⁷ Mahan's *Old Fort Atkinson* in *The Palimpsest*, Vol. II, pp. 333-350.

³⁸ Van der Zee's *Forts in the Iowa Country* in *THE IOWA JOURNAL OF HISTORY AND POLITICS*, Vol. XII, pp. 163-204. For additional references see Petersen's *Two Hundred Topics in Iowa History*, pp. 22, 23.

³⁹ Van der Zee's *Captain James Allen's Dragoon Expedition from Fort Des Moines, Territory of Iowa, in 1844*, and *Captain Edwin V. Sumner's Dragoon*

Another service performed by the Federal government was the distribution of mail. Approximately 160 post offices were established in Iowa during the period covered by the Territory of Iowa. In a number of cases, the name was changed or the post office was discontinued or moved to some nearby and more prosperous community.

The settlers who came to Iowa believed in education and in churches. During this early period communities usually provided common schools but the churches assumed the burden of providing secondary and college education. A law approved on January 13, 1841, provided for the office of Superintendent of Public Instruction. Less than a year later, on February 17, 1842, this act was repealed. Congress made two grants of land which were used for public schools—an act approved on September 4, 1841, granted 500,000 acres of public land for internal improvements (used for school purposes) and another act dated March 3, 1845, gave the proposed State of Iowa every sixteenth section for schools. By the time Iowa was ready for statehood, it was prepared to provide advanced education for its young people, although the denominational and privately supported colleges have continued to participate in this field. On February 25, 1847, the First General Assembly of Iowa founded the State University of Iowa.⁴⁰

In 1838 Reverend Asa Turner came to Denmark, Iowa. He was formally installed on November 5, 1840, and on the following day an Association of Congregational Churches and Ministers was formed, representing three churches.

Expedition in the Territory of Iowa in the Summer of 1845 in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XI, pp. 68-108, 258-267; Pelzer's *Marches of the Dragoons in the Mississippi Valley*, p. 91. See also Petersen's *Two Hundred Topics in Iowa History*, pp. 23, 24.

⁴⁰ *Laws of the Territory of Iowa, 1840-1841*, pp. 37, 38, 1841-1842, p. 93; *Laws of Iowa, 1846-1847*, pp. 188, 189; *United States Statutes at Large*, Vol. V, pp. 455, 789, 790.

Turner was one of the promoters of Denmark Academy, incorporated by the Iowa legislature on February 3, 1843. This school opened in September, 1845.⁴¹

It was in 1843 that the Iowa Band arrived in Iowa — nine young ministers who came to Iowa as representatives of the Congregational and Presbyterian churches. On the fifth of November, seven of these men were ordained by the Denmark Congregational Association. On Monday, November 6, 1843, the band scattered to their widely separated posts — Keosauqua, Muscatine, Burlington, Farmington, Maquoketa, Cascade, Solon, Mount Pleasant, and the New Purchase. It was the members of this Iowa Band who were largely responsible for the establishment of Iowa College at Davenport, the first meeting looking forward to this project having been held at Denmark on March 12, 1844. On the tenth of June, 1846, J. J. Hill gave the first dollar for the college fund.⁴²

The Baptist Church organized its first district association at Long Creek (now Danville) fifteen miles west of Burlington in August, 1838. It was first called "The Iowa Baptist Association"; later it was known as the First Des Moines Association. The first Iowa Baptist Convention was held at Iowa City on June 3 and 4, 1842.⁴³

The Quakers, too, were early settlers in Iowa. On October 8, 1838, they opened the Salem Monthly Meeting of Friends, the first regular business meeting of this denomination in Iowa and the first west of the Mississippi River.⁴⁴

On April 21, 1839, the Right Reverend Mathias Loras

⁴¹ Christensen's *Denmark — An Early Stronghold of Congregationalism* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XXIV, pp. 108-130.

⁴² Hinkhouse's *One Hundred Years of the Iowa Presbyterian Church*, pp. 14, 19, Adams's *The Iowa Band*; Gallaher's *The Iowa Band* in *The Palimpsest*, Vol. XI, pp. 355-366.

⁴³ Mitchell's *A Century of Iowa Baptist History 1834-1934*, p. 29.

⁴⁴ Jones's *The Quakers of Iowa*, p. 44.

was installed as the first Bishop of the Roman Catholic Church in Iowa. The services were held at the Cathedral in Dubuque. The assisting priests were Rev. Joseph Cretin, Rev. J. A. M. Pelamourgues, and Rev. Samuel C. Mazuchelli.⁴⁵

The first Presbytery (the Iowa Presbytery) was organized by the Old School Presbyterians at Muscatine on November 6, 1840. The New School Presbyterians organized their first Presbytery at Yellow Springs (Kossuth) on April 12, 1842. It was designated the Des Moines Presbytery.

A document filed in the Henry County archives, dated March 11, 1843, established "The Mount Pleasant Collegiate Institute", under the control of the Methodist Episcopal Church. This institution, now Iowa Wesleyan College, received a charter from the legislature of Iowa on February 15, 1844. It is, so far as has been learned, the oldest college in Iowa having a continuous college existence, although the name has been changed several times.

The college trustees asked the Methodist Episcopal Church to sponsor the infant college. An Iowa District had already (1839) been organized by the Illinois Conference of the Methodist Episcopal Church. The first Methodist Conference held in Iowa (the Rock River Conference) was opened at Dubuque on August 30, 1843. On August 14, 1844, the Iowa Conference, the first conference of the Methodist Episcopal Church in Iowa, was organized at Iowa City.⁴⁶

John B. Newhall, in his guide — published in 1841 — listed in addition the following religious denominations: Campbellites, Christians, Protestant Episcopal, Unitarians, Dunkards, and Mormons. On July 22, 1839, Abner Kneeland, a

⁴⁵ Kempker's *History of the Catholic Church in Iowa*, p. 25.

⁴⁶ *Historical Sketch and Alumni Record of the Iowa Wesleyan College, 1842-1917*, pp. 8-99; Waring's *History of the Iowa Annual Conference of the Methodist Episcopal Church*, pp. 92, 112, 119.

free-thinker, arrived at Salubria (two miles south of Farmington), hoping to found a non-religious community in Iowa.⁴⁷

A large number of newspapers were established in Iowa between 1838 and 1847. The *Fort Madison Patriot* began on March 24, 1838. The *Iowa Sun and Davenport and Rock Island News* started publication on August 4, 1838. The *Burlington Patriot*, started on June 6, 1839, changed to *The Hawk-Eye and Iowa Patriot* on September 5th of the same year. The *Iowa Standard* was begun at Bloomington (now Muscatine) on October 23, 1840, and was moved to Iowa City in June, 1841, where its name was changed to the *Iowa City Standard*. Later (1848) it became the *Iowa City Republican*. Bloomington, however, was supplied with news by the *Bloomington Herald*, later called the *Muscatine Journal*. The *Fort Madison Courier*, first issued on July 24, 1841, became the *Lee County Democrat* in December of the same year and in 1847 became the *Iowa Statesman*. The *Iowa City Argus*, started on July 31, 1841, was merged in March, 1842, with the *Iowa Capital Reporter*, which had first appeared on December 4, 1841. The *Miners' Express*, started at Dubuque on August 1, 1841, the *Davenport Gazette*, which began on August 26, 1841, the *Iowa Democrat and Des Moines River Intelligencer*, published at Keosauqua beginning in July, 1843, the *Iowa Transcript*, which began at Dubuque in May, 1843, the *Border Pioneer*, which was started at Keosauqua in October, 1844, the *Iowa Morning Star and Keokuk Commercial Message*, April 24, 1845, the *Iowa Argus and Lee County Commercial Advertiser*, also started at Keokuk in January, 1846, the *Des Moines Valley Whig*, begun at Keosauqua in July, 1846, the *Dubuque Tribune*, December 21, 1846, the *Keokuk Register*,

⁴⁷ Newhall's *Sketches of Iowa*, pp. 67-69; Whitcomb's *Abner Kneeland: His Relations to Early Iowa History* in the *Annals of Iowa* (Third Series), Vol. VI, pp. 340-363. Kneeland died on August 27, 1844.

May 26, 1847, the *Iowa Sentinel*, opened at Fairfield on June 12, 1847, the *Iowa Advocate and Half-Breed Journal*, started at Montrose on August 16, 1847, and the *Western Democrat* which began publication at Andrew in 1847 are other papers which were started in Iowa during the Territorial period. Some of these were short lived. *The Bride and the Lamb's Wife*, which began publication at Buffalo in 1842, and the *Colporteur*, which first appeared at Iowa City in November, 1844, were two religious papers instituted during this period.⁴⁸

It was James G. Edwards, editor of the *Fort Madison Patriot*, who on March 24, 1838, suggested the name "Hawkeyes" as the nickname for the people of Iowa.⁴⁹ It was Edwards who printed (in 1838) the first volume of laws issued from an Iowa printing office. The *Revised Statutes of the Territory of Iowa, 1842-1843*, compiled by a joint legislative committee and printed by Hughes and Williams of Iowa City in 1843, was the first code of Iowa.

Among the books about Iowa, the following may be briefly mentioned: Abel's *Travellers and Emigrants Guide to Wisconsin and Iowa*, Philadelphia, 1838; Smith's *Observations on the Wisconsin Territory* [contains ten pages on Iowa], Philadelphia, 1838; Colton's *The Western Tourist and Emigrant's Guide*, New York, 1839; Plumbe's *Sketches of Iowa and Wisconsin*, St. Louis, 1839; Smith's *The Western Tourist and Emigrant's Guide* [includes Iowa], New York, 1839, 1840; Colton's *Guide for the Territory of Iowa, with a Correct Map, Showing the Township Surveys*, New York, 1839, 1840; Williams's *A Description of the United States Lands in Iowa*, New York, 1840; Newhall's *Sketches of Iowa, or the Emigrant's Guide*, New York, 1841; Newhall's *The Brit-*

⁴⁸ The data on newspapers is from a manuscript thesis on early Iowa newspapers by Velma Critz Stout.

⁴⁹ Shambaugh's *The Naming of Iowa* in *The Palimpsest*, Vol. V, pp. 371, 372 (also issued as a Special Iowa number in May, 1926).

ish *Emigrant's "Hand Book", and Guide to the New States of America*, London, 1844; Barrows's *Notes on Iowa Territory*, Cincinnati, 1845; and Newhall's *A Glimpse of Iowa in 1846*, Burlington, Iowa, 1846.

In May, 1841, there appeared at Burlington a pamphlet giving the by-laws of the Masonic Lodge of Burlington. This is said to have been the first Masonic book printed in Iowa. The Burlington lodge, the oldest Masonic lodge in Iowa, was granted a dispensation by the Missouri Grand Lodge, on November 20, 1840. Its charter, dated October 20, 1841, designated it as "Des Moines Lodge No. 41". Many prominent men of Iowa belonged to this lodge and John C. Breckenridge was initiated by it. The Grand Lodge of Iowa was organized at Iowa City on January 8, 1844.⁵⁰

On the 11th of October, 1842, the Sauk and Fox Indians reluctantly made a treaty ceding all their remaining lands in Iowa to the United States. They promised to vacate the area east of a line passing north and south through Red Rocks in Marion County by May 1, 1843, and to withdraw entirely beyond the Missouri River by October 11, 1845. On both dates settlers lined up and rushed across the line as soon as the Indian title ended. On the fifth of June, 1846, the Potawatomi Indians signed a treaty relinquishing their lands in southwestern Iowa. The Winnebago Indians made their final cession of Iowa lands on October 13, 1846, giving up their claim to the neutral ground although their removal was delayed until 1848.⁵¹

It was on February 6, 1846, that the Mormons began the migration across southern Iowa on their long journey to Salt Lake. All that summer and autumn ox-wagons labored

⁵⁰ Morcombe's *History of the Grand Lodge of Iowa*, Vol. I, pp. 63-87, 192, 193.

⁵¹ For references on the removal of Indian tribes from Iowa see Petersen's *Two Hundred Topics in Iowa History*, pp. 14-19.

across southern Iowa as some 30,000 Mormon emigrants moved westward.⁵²

The Mexican War began in April, 1846, and during the following summer five hundred of the young men of the Mormons then camped at what is now Council Bluffs enlisted in the United States Army. This Mormon Battalion was mustered into service on July 16, 1846, and served one year.⁵³

On the fifth of May, 1840, Joseph M. Street, Agent for the Sauk and Fox Indians, died at the Agency and two years later on March 15, 1842, Chief Wapello died on a hunting trip in Keokuk County and, at his request, was buried beside his white friend at the Agency.⁵⁴

A meeting was held at Dubuque on March 31, 1838, at the call of John Plumbe, Jr., to discuss the possibility of building a railroad to the Pacific Ocean. Resolutions were adopted asking Congress to appropriate money for a survey of a route. In January, 1847, after a preliminary survey had been made by means of a congressional appropriation, Plumbe printed an address urging the importance of the early construction of a railroad to Oregon. That Plumbe's idea was not considered beyond reason is evident from a statement made by J. H. Colton in *The Western Tourist and Emigrant's Guide* published in 1839, "It is believed that a Rail-Road can be easily constructed to extend from the Mississippi at Du Buque across the Rocky Mountains, to the navigable waters of the Columbia river, or to the Pacific ocean".⁵⁵

⁵² For the story of the Mormon exodus see Van der Zee's *The Mormon Trails in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XII, pp. 3-16.

⁵³ *Roster and Record of Iowa Soldiers*, Vol. VI, p. 837.

⁵⁴ Mahan and Gallaher's *Stories of Iowa for Boys and Girls*, pp. 139-145; Gallaher's *Indian Agents in Iowa* in THE IOWA JOURNAL OF HISTORY AND POLITICS, Vol. XIV, pp. 367, 383.

⁵⁵ King's *John Plumbe, Originator of the Pacific Railroad*, in the *Annals of*

During the late summer of 1839, David Dale Owen made a geological reconnaissance in Iowa, especially noting the mineral lands. A preliminary report of this survey was published in 1844 as a government document.⁵⁶

Another scientist who made a contribution to the knowledge of Iowa was J. N. Nicollet, who was employed by the Federal government in topographical work during the years 1838 until his death on September 11, 1843. His chief contribution was a map of the Upper Mississippi Basin, ordered printed on February 16, 1841, and published by the United States in 1843, with an explanatory report.

In July, 1839, the Supreme Court of the Territory of Iowa handed down its first decision. It ruled in the case of Ralph that a slave who came to Iowa with the consent of his owner was not a fugitive and could not be returned to slavery.

On September 2, 1847, nearly six hundred immigrants from Holland arrived at the site of Pella, the first of the distinct racial groups to appear.⁵⁷

Not all events which happened in Iowa were constructive; crime also organized. A Jackson Day ball at Bellevue on January 8, 1840, was the occasion for a killing and the feeling against an alleged gang of thieves became so high that on April 1, 1840, a pitched battle, known as the "Bellevue War", took place between the Sheriff of Jackson County and his deputies on one side and William W. Brown and his gang on the other. At least eight men fell in the melee. Thirteen of the bandits were captured, whipped, and ordered to leave the county.⁵⁸

Iowa (Third Series), Vol. VI, pp. 289-296; Colton's *The Western Tourist and Emigrant's Guide*, p. 171. In 1838, of course, the Pacific Coast was not recognized as being a part of the United States.

⁵⁶ Owen's *Report of Geological Exploration of Part of Iowa, Wisconsin, and Illinois*.

⁵⁷ Van der Zee's *The Hollanders of Iowa*, p. 73.

⁵⁸ Reid's *Thomas Cox*, pp. 122-154.

This period saw the beginnings of several important industries in Iowa although exact dates can not be given. Lead mining antedated the settlement of Iowa. Agriculture came with the first pioneers. The farmer soon raised more hogs than he could use and the merchants, either retail or commission, soon began to buy and slaughter hogs. J. M. D. Burrows started buying dressed hogs from farmers in 1840 and later started a "pork house" at Davenport.

Gristmills and sawmills were early constructed on the creeks and rivers of Iowa. In addition to the native timber, logs were floated down the Mississippi and sawed into lumber at the river towns.

The census of 1840 gave the value of lumber produced in Iowa as \$50,280. On January 12, 1839, the Iowa legislature authorized Benjamin Nye to build a dam across Pine River. Five other dams were authorized at the same session and a general law was enacted making mills public utilities and regulating tolls.⁵⁹ Agricultural fairs are said to have been held in Iowa counties as early as 1841 or 1842.

The events mentioned here are merely a few of the things which happened in Iowa "one hundred years ago". Many others, equally important perhaps, could be given. Government, religion, education, agriculture, trade, manufacturing, banking, the professions, all have some events of interest during the decade from 1838 to 1847. Churches, social groups, schools, colleges, industries, newspapers, and local governments may find notable dates in this formative decade. Communities, counties, townships, municipalities may have centennial anniversaries during the next ten years.

History is not merely a knowledge of dates, names, and places; it is an understanding of the trends of human life. Somehow, whether by a Divine Providence, chance, or human design, the activities of men and women weave a pat-

⁵⁹ *Laws of the Territory of Iowa, 1838-1839*, pp. 337-346.

tern which continues some of the designs of the past and projects itself into the future. Happy are the people who inherit a past of constructive activity, a high standard of morals and intelligence, an adequate supply of the necessities of life, and lofty ideals of peace, justice, social responsibilities, and coöperative effort. The records of Iowa one hundred years ago go far to explain the Iowa of today. Even the jealousies, the political battles, the heartaches, the hard work, and the lack of medical and dental care had a part in the picture of Iowa a century ago.

He who considers not the past, "flies blind" into the future. It is well that we pause to honor the pioneers who established our government, started our schools, organized our churches, built our homes, stores, and mills, began our industries, and made farms out of the prairie, who found a wilderness and left behind them a Commonwealth. It is even more important that we get a clear perspective of the complicated, intricate, and ever changing pattern which is the history of Iowa. What more fitting time for such a survey than the centennial anniversaries which occur during the next ten years.

RUTH A. GALLAHER

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY IOWA

DIRECTORY OF IOWA TERRITORIAL OFFICIALS

GOVERNORS

Henry Dodge, 1836 to 1838

Appointed Governor of Wisconsin Territory on May 6, 1836,
by President Andrew Jackson.

Robert Lucas, 1838 to 1841

Appointed Governor of Iowa Territory on July 7, 1838, by
President Martin Van Buren.

John Chambers, 1841 to 1845

Appointed Governor of Iowa Territory, on March 25, 1841, by
President William Henry Harrison.

James Clarke, 1845 to 1846

Appointed Governor of Iowa Territory on November 18, 1845,
by President James K. Polk.

Served until December 2, 1846.

SECRETARIES

William B. Conway, 1838 to 1839 O. H. W. Stull, 1841 to 1843

James Clarke, 1839 to 1841 Samuel J. Burr, 1843 to 1845

Jesse Williams, 1845 to 1846

TERRITORIAL AUDITORS

Jesse Williams, 1840 to 1843 William L. Gilbert, 1843 to 1845

Robert M. Secrest, 1845 to 1846

TERRITORIAL TREASURERS

Thornton Bayless, 1839 to 1840 Morgan Reno, 1840 to 1846

TERRITORIAL AGENTS

Chauncey Swan, 1839 to 1840 John N. Colman, 1842 to 1844

Jesse Williams, 1841 to 1842 Anson Hart, 1844 to 1846

SUPERINTENDENT OF PUBLIC INSTRUCTION

William Reynolds, 1841 to 1842

SUPREME COURT

Charles Mason, Chief Justice, 1838 to 1846
 Thomas S. Wilson, Associate Justice, 1838 to 1846
 Joseph Williams, Associate Justice, 1838 to 1846
 Thornton Bayless, Clerk, 1838 to 1843
 George S. Hampton, Clerk, 1843 to 1846
 Eastin Morris, Reporter, 1843 to 1846

DISTRICT ATTORNEYS

Isaac Van Allen, 1838 to 1840	John G. Deshler, 1843 to 1845
Charles Weston, 1840 to 1843	Edward Johnston, 1845 to 1846

UNITED STATES MARSHALS

Francis Gehon, 1838 to 1841	Isaac Leffler, 1842 to 1845
Thomas B. Johnson, 1841 to 1842	Gideon S. Bailey, 1845 to 1846

DELEGATES IN CONGRESS

William W. Chapman, 1839 to 1841	Augustus C. Dodge, 1841 to 1846
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SURVEYORS-GENERAL FOR IOWA AND WISCONSIN

Warner Lewis, 1836 to 1838	George W. Jones, 1840 to 1841,
Albert G. Ellis, 1838 to 1840	1845 to 1846
James Wilson, 1841 to 1845	

*UNITED STATES LAND OFFICES**Dubuque Office*

<i>Register</i>	<i>Receiver</i>
B. R. Petrekin, 1838	Thomas McKnight, 1838
Henry Harrison, 1841	
Warner Lewis, 1845	Stephen Langworthy, 1845

Burlington Office

A. C. Dodge, 1838	Verplank Van Antwerp, 1838
William Ross, 1841	Joseph C. Hawkins, 1841

Fairfield Office

Bernhart Henn, 1845	Verplank Van Antwerp, 1845
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COMMISSIONERS TO LOCATE THE CAPITAL AT IOWA CITY

Chauncey Swan, 1839 to 1841

John Rolands, 1839 to 1841

Robert Ralston, 1839 to 1841

LIBRARIANS

Theodore S. Parvin, April, 1838 Charles Weston, 1839 to 1840

Morgan Reno, 1841 to 1846

DATA ON THE LEGISLATIVE ASSEMBLIES OF THE
TERRITORY OF IOWA

First Legislative Assembly

Convened at Burlington, November 12, 1838

Adjourned, January 25, 1839

Council — 7 Democrats, 6 Whigs

House of Representatives — 17 Democrats, 8 Whigs

President of the Council — Jesse B. Browne, Whig

Secretary of the Council — B. F. Wallace, Whig

Speaker of the House — William H. Wallace, Whig

Chief Clerk of the House — Joseph T. Fales, Democrat

Second Legislative Assembly

Convened at Burlington, November 4, 1839

Adjourned, January 17, 1840

Council — 7 Democrats, 6 Whigs

House of Representatives — 15 Democrats, 11 Whigs

President of the Council — Stephen Hempstead, Democrat

Secretary of the Council — B. F. Wallace, Whig

Speaker of the House — Edward Johnston, Democrat

Chief Clerk of the House — Joseph T. Fales, Democrat

Extra session convened at Burlington, July 13, 1840

Adjourned, August 1, 1840

President of the Council — James M. Clark, Democrat

Secretary of the Council — B. F. Wallace, Whig

Speaker of the House — Edward Johnston, Democrat

Chief Clerk of the House — Joseph T. Fales, Democrat

Third Legislative Assembly

Convened at Burlington, November 2, 1840

Adjourned, January 15, 1841

Council — 7 Democrats, 6 Whigs

House of Representatives — 15 Democrats, 11 Whigs
President of the Council — M. Bainbridge, Whig
Secretary of the Council — B. F. Wallace, Whig
Speaker of the House — Thomas Cox, Democrat
Chief Clerk of the House — Joseph T. Fales, Democrat

Fourth Legislative Assembly

Convened at Iowa City, December 6, 1841
Adjourned, February 18, 1842
Council — 8 Democrats, 5 Whigs
House of Representatives — 16 Democrats, 10 Whigs
President of the Council — Jonathan W. Parker, Democrat
Secretary of the Council — J. W. Woods, Democrat
Speaker of the House — Warner Lewis, Democrat
Chief Clerk of the House — Joseph T. Fales, Democrat

Fifth Legislative Assembly

Convened at Iowa City, December 6, 1842
Adjourned, February 17, 1843
Council — 7 Democrats, 6 Whigs
House of Representatives — 15 Democrats, 11 Whigs
President of the Council — John D. Elbert, Whig
Secretary of the Council — Joseph T. Fales, Democrat
Speaker of the House — John M. Morgan, Democrat
Chief Clerk of the House — B. F. Wallace, Whig

Sixth Legislative Assembly

Convened at Iowa City, December 4, 1843
Adjourned, February 16, 1844
Council — 6 Democrats, 7 Whigs
House of Representatives — 19 Democrats, 7 Whigs
President of the Council — Thomas Cox, Democrat
Secretary of the Council — B. F. Wallace, Whig
Speaker of the House — James P. Carlton, Democrat
Chief Clerk of the House — Joseph T. Fales, Democrat
Extra Session convened at Iowa City, June 17, 1844
Adjourned, June 20, 1844
President of the Council — Francis Gehon, Democrat
Secretary of the Council — Charles Medara
Speaker of the House — John Foley, Democrat
Chief Clerk of the House — Joseph T. Fales, Democrat

Seventh Legislative Assembly

Convened at Iowa City, May 5, 1845

Adjourned, June 11, 1845

Council — 11 Democrats, 2 Whigs

House of Representatives — 16 Democrats, 10 Whigs

President of the Council — S. C. Hastings, Democrat

Secretary of the Council — John F. Kinney, Democrat

Speaker of the House — James M. Morgan, Democrat

Chief Clerk of the House — William Thompson, Democrat

Eighth Legislative Assembly

Convened at Iowa City, December 1, 1845

Adjourned, January 19, 1846

Council — 11 Democrats, 2 Whigs

House of Representatives — 22 Democrats, 10 Whigs

President of the Council — Stephen Hempstead, Democrat

Secretary of the Council — John F. Kinney, Democrat

Speaker of the House — George W. McCleary, Democrat

Chief Clerk of the House — William Thompson, Democrat

Members of the Territorial Council

NAME	NO. OF SESSION	NAME	NO. OF SESSION
Abbe, William	.....7 and 8	Hempstead, Stephen	
Bailey, Gideon S.	.....3 and 4		1, 2, 7, and 8
Bainbridge, M.	.....3 and 4	Hepner, George	.....1 and 2
Bridley, Philip B.	.....7 and 8	Hughes, L. B.	.....1 and 2
Brattain, Paul	.....7 and 8	Inghram, Arthur	.....1 and 2
Brierly, James	.....7 and 8	Jenkins, James H.	.....5 and 6
Browne, J. B.	...1, 2, 3, and 4	Johnston, Edward	...3 and 4
Christie, Robert	.....5 and 6	Keith, J.	.....1 and 2
Clark, James M.	.....1 and 2	Kirkpatrick, Joseph S.	...3 and 4
Cook, John P.	.....5 and 6	Leffler, Shepherd	
Coop, W. G.	...3, 4, 7, and 8		4, 5, 6, 7, and 8
Cox, Thomas	.....5 and 6	Lewis, Warner	.....1 and 2
Elbert, John D.	.....5 and 6	Parker, J. W.	...1, 2, 3, and 4
Gehon, Francis	.....5 and 6	Patterson, Robt. M. G.	...5 and 6
Greene, George	.....3 and 4	Patterson, William	...5 and 6
Hall, James	.....3 and 4	Payne, Jesse D.	.....1 and 2
Harris, Pleasant	.....5 and 6	Ralston, Robert	.....1 and 2
Hastings, S. C.	...3, 4, 7, and 8	Ross, Enoch	.....7 and 8
Hawkins, J. C.	.....3	Shelby, Henry M.	...7 and 8

Springer, Francis	Teas, Joseph B. ....5 and 6
3, 4, 5, and 6	Thompson, John .....7 and 8
Stephenson, John S. ..7 and 8	Wallace, W. H...3, 4, 5, and 6
Summers, Laurel .....7 and 8	Whittlesey, Charles ...1 and 2
Swazey, E. A. M. ....1 and 2	

Members of the Territorial House of Representatives

NAME	NO. OF SESSION	NAME	NO. OF SESSION
Anderson, James .....7		Cox, Thomas .....1, 2, and 3	
Andros, Frederick .....5		Coy, Shubael .....7 and 8	
Avery, Robert .....3		Culbertson, John W. ..5 and 6	
Bailey, Gideon S. ....1 and 2		Davis, Ebenezer W. ....7	
Banks, Abraham T. ...7 and 8		Delashmutt, Van B. ....1	
Bankson, Andrew .....1		Denson, Thomas .....4	
Baker, Thomas .....4 and 6		Downey, Hugh B. ....7 and 8	
Barton, Rickey D. ....5		English, L. N. ....2	
Beeler, George H. ....1		Fay, Edward E. ....6	
Berry, John C. ....5		Felkner, Henry ...3, 4, and 5	
Biggs, Uriah .....2 and 4		Ferguson, David .....8	
Blair, David E. ....4 and 5		Fleenor, Issac .....2	
Blair, Thomas .....1		Flink, Joseph .....8	
Bonney, Josiah H. ....6		Foley, John .....6	
Booth, C. H. ....4		Frierson, John .....1	
Borland, Samuel .....6		Goddard, Eli .....5	
Box, John .....3		Graham, Thomas .....8	
Brewer, Daniel .....2		Grant, James .....4	
Brierly, James ..1, 3, 5, and 6		Grimes, James W. ....1 and 6	
Briggs, Ansel .....5		Hall, James .....1 and 2	
Brophy, John .....6		Hackleman, Abner ...5 and 6	
Browne, Jesse B. ....8		Hancock, Frederick ...7 and 8	
Browning, Milton D. ....3		Harper, Reuben R. ....7	
Bunker, David .....5		Hastings, S. Clinton ..1 and 2	
Burchard, Jabez A., Jr. ....1		Hawkins, Joseph C. ....2	
Campbell, Henry .....4		Hebard, Alfred ...3, 4, and 6	
Carleton, James P. ....6		Hendershott, David .....3	
Chandler, George.....7		Hepner, George .....4 and 5	
Churchman, James .....2		Higginson, Samuel P. ....4	
Clark, T. T. ....2		Holland, Joshua .....8	
Clifton, Charles .....7 and 8		Holliday, Samuel .....4	
Coop, William G. ....1 and 2		Huner, Jacob .....7 and 8	

NAME	NO. OF SESSION	NAME	NO. OF SESSION
Isett, Thomas M.	3	Ripley, John	8
Jacobs, Cyrus S.	1	Robb, Hamilton	6
Jay, Evan	5	Roberts, Robt. G.	1
Johnson, John	6 and 7	Robertson, Joseph M.	
Johnston, Edward	2	2, 3, 4, 5, 7, and 8	
Langworthy, Edward..	2 and 3	Rogers, Thomas	5 and 6
Lash, John B.	2 and 3	Ross, Wm. R.	2
Leffler, Isaac	4	Sales, David J.	5
Leffler, Shepherd	2 and 3	Shelledy, Stephen B. ..	7 and 8
Leonard, James	7	Smead, Simeon	4
Lester, George W.	7 and 8	Smythe, Robt.	6
Lewis, Isaac N.	3 and 5	Snyder, Joseph K.	7 and 8
Lewis, Warner	4	Steele, Wm.	3, 5, and 6
McCleary, G. W.	6, 7, and 8	Stewart, Charles	7
McCulloch, E. S.	4 and 5	Summers, Laurel ..	1, 2, and 3
McMichael, Archibald	8	Swan, Chauncey	1
McMillen, Thomas	5	Swearingen, Samuel	5
Mason, Timothy	3	Taylor, Hawkins	1
Miller, Daniel F.	3	Taylor, John	7 and 8
Mintun, Jacob	2	Teeple, Simon P.	3
Mitchell, Gilbert C. R.	6	Temple, George	1
Montague, George	7	Thompson, Wm.	6
Morgan, J. M. ..	4, 5, 7, and 8	Thornton, Levi	1
Morse, James K.	4	Thornton, Err	5
Munger, Norton	7 and 8	Toole, Wm. L.	1, 3, and 4
Murdock, Samuel	7 and 8	Van Antwerp, Harmon	3
Murray, Samuel R.	1	Wallace, Wm. H.	1
Myers, Jacob L.	2	Walworth, G. H..	2, 3, 5, and 6
Newell, Joseph	5	Weld, Oliver	4
Noble, Richard	7	Wheeler, Loring	2
Nowlin, Hardin.....	1 and 6	Whitaker, John M. ...	3 and 4
Owen, Joshua	2	Wilson, Alex A.	3
Parker, Samuel	1	Wilson, David S.	7 and 8
Patterson, Wm...1, 2, 4, and 8		Wilson, Paton ..	3, 4, 5, and 6
Porter, Asbury B...1, 3, and 4		Woodworth, S. D.	7 and 8
Price, Calvin J.	1	Wray, James M.	6
Quinton, Richard	4	Wright, John D.	6 and 8
Rich, Alfred	2		

SONS OF THE SOIL

On the Iowa Capitol grounds, near the foot of a wide flight of steps, stands a group of lifelike figures in bronze — an Indian, a scout, and a pioneer. The pioneer is shading his eyes with his hand as he gazes across the valley. Karl Gerhardt, the sculptor who molded these figures, would have us see Iowa as it was three quarters of a century ago, the western fringe of a wavering line of settlers who were advancing in the direction of the setting sun. Homes to build, fields to plow, places of business to establish, dangers to overcome — all lay in that direction.

The history of the United States is largely the story of the westward movement. At the close of the Revolutionary War, the population broke through the Allegheny barrier and settled in the area now occupied by the States of Ohio, Kentucky, Tennessee, Indiana, Michigan, and Illinois. By 1830, American settlements had reached the east bank of the Mississippi River. Beyond lay the prairie empire, prophetically secured by Thomas Jefferson as part of the Louisiana Purchase. The Mississippi was not long a barrier. Beyond lay the rich farming lands of Iowa and Minnesota.

By the close of the Civil War, the pioneer period of agriculture in Iowa was largely over except in the northwestern sections of the State. What was the pioneer period? For the larger part of Iowa, the pioneer period of agriculture was characterized by simplicity. The settler bought his land directly from the government, built his own cabin or house, farmed his own land (usually not more than eighty or at most one hundred and sixty acres), and provided the food for himself and his family. The farmer's wife often

spun the wool or flax, wove the cloth, and made the garments. Life on the pioneer farms was hard, but the problems were not complex. Men and women labored — and used what they produced.

The second chapter in the development of agriculture may be described as commercial or acquisitive. This period in American agriculture began, approximately, about 1870. Railroads were built. The tall grass of the bottom lands and the shorter grass of the uplands from Chicago to Denver became the cattleman's paradise. Great companies in America and in Europe gambled in cows and in the range upon which to pasture them. The tough sod was trampled and overpastured by the rival herds. Cheap and free land was available, but agriculture was now more complicated.

The traffic in the products that came from the soil had a profound political and social significance. It was not men in the swivel chairs who changed the living habits of German, Scotch, and English workmen; the farmers in the Mississippi Valley were largely responsible. The sturdy citizen, clad in blue denim, astride a sulky plow, driving a self-binder or a combine, or walking behind his mules in the cotton fields supplied a world need. The spinning looms of Lancashire, England, waited for American cotton. The Britisher of Sheffield, Liverpool, or London demanded beef and pork grown in the region west of the Allegheny Mountains and fattened in the feed lots of the corn belt. Merchant ships brought to the ports of the United States factory-finished products, and returned to Liverpool, Hamburg, and Brest laden with cargoes of cotton, tobacco, meat products, canned goods, and fruit.

The factory made goods from Europe were not sufficient, however, to meet the demands of the expanding west. The products from the so-called heavy industries were particularly needed — steel rails, heavy machinery, cement, coal,

and oil. Meat packing plants, automobile factories, and countless other industries sprang up along the lines between Chicago and New York. Human hands were needed in mine and factory. The supply secured from Europe was not enough for hungry industry. Young men and young women, entire families, were drawn from the open country of the Mississippi Valley to meet the demand for labor.

Agriculture changed its ways to meet the situation. A commercial type of farming developed. The idea of one family on every quarter section was forgotten. Half section and section farms and those with more than a thousand acres appeared. The horse-drawn hand binder replaced the sickle. The self-binder quickly followed the hand type, only to be set aside for the ten- and twelve-foot header and, lastly, by the combine that cut the grain, threshed the wheat, and sacked or delivered it to waiting wagons in one operation. Ten-acre patches became a hundred, and six hundred and forty acre fields were common. Two-row planters, two-row cultivators, gang plows, and tractors appeared in the Upper Mississippi Valley. The milking machine found its way into the dairy barns, and it was necessary to increase the number of cows to justify its installation. Husking machines were used in the cornfields and the acreage was increased. Competition for the ownership of land became keen.

Big business traveled along country roads and farm corporations were seriously advocated by many people. In the Mississippi Valley some attempts were made to use factory methods in the mass production of grain and of feeding livestock, and for a time seemed to be successful. Fence lines were torn out to make larger fields; home orchards were uprooted and buildings were consolidated or abandoned. Central operation required fewer families and land devoted to farmsteads could be used for crop production.

Most of these attempts have failed. Production possibilities of the land have, however, been greatly increased.

Because this commercial and acquisitive period of farming is complex, as the old style pioneer farming was not, and because it appears that the close of this chapter has been or may soon be written, an attempt has been made in this article to present its problems by means of a series of biographical sketches of farmers — agricultural vignettes — covering the period from 1870 to the present.

Even this period had its pioneers — the men who bought and homesteaded virgin prairie farms, communities where the people were, for a time, self sufficient or almost so. But the pioneer was only one phase of the commercial age; new, baffling, and bewildering problems developed, which the stories of these farmers will illustrate.

LEWIS F. SHULTZ—JASPER COUNTY
Immigrant and Pioneer

The grandfather of Lewis F. Shultz was a farmer on the estate of a Prussian nobleman. He took orders from others and bowed down to Royalty, but in his heart he longed to stand erect and look any man in the eye as an equal. Grandmother Shultz was even more determined that some day she would stand in her own cottage door or work in her own garden nearby. Together these sturdy German folks labored. Their three sons and one daughter also worked and added their savings to a common fund for the common purpose; some day they would all go to that new Land of Promise, the United States of America. The daughter grew to young womanhood and married. The sons served their required time in the German army and then became wage earners. Little by little the savings grew. Grandfather Shultz died but the dream did not fade. Grandmother knew her husband would have them carry on.

At last, in 1854, the day arrived for the great adventure. The two older sons were sent to America to study conditions for a whole year. The wise old lady wanted them to know the four seasons in that section of the new continent in which they were to cast their lot. They chose Van Buren County, Illinois. A year later, the grandmother and those of the families who had remained behind in Germany joined the two "spies of a promised land" and held a family reunion in the very heart of the Upper Mississippi Valley. That was in the fall of 1855. A few months later the wife of one of the sons, the mother of Lewis Shultz, died. The old grandmother took up the duties of housekeeper for the four motherless little ones. The father worked as a hired man on the farm of a land speculator.

In the spring of 1858 this employer sent the Shultz family out to Iowa to improve a large tract of land he had purchased in Poweshiek County at a low figure. The diligent labor of the entire Shultz family rapidly made the tract more desirable and the owner wanted to make a five-year contract with these sturdy people to further improve his land. The father of Lewis Shultz listened respectfully to the offer.

"No", said Mr. Shultz. "All my life I have taken orders from others. I have been the hired man, my father before me did the same. I have three growing boys and I want them to be landowners. I want to feel my feet on land I can call my own."

So this son of a worker on a German nobleman's estate purchased one hundred and twenty acres of rich Iowa soil in Poweshiek County for five dollars and seventy-five cents per acre, making his down payment out of his hard-earned savings. Then he built a rough board house and began to see the fulfillment of the visions for which two generations had labored and sacrificed.

No plow had ever turned a furrow across this land, level as a table top. Wild game abounded. No fences obstructed the cross country trails. The new farm called to its owner before the break of each day; darkness found tasks still undone. Lewis Shultz was the oldest boy. His father needed him to help with the work outside. The faltering steps of the old grandmother called for all the help the lad could give in the house. Schooling had to be set aside. A few weeks in a neighbor's house where the children of the scattered community gathered; two or three winters in the log schoolhouse, and the classroom experience of Lewis Shultz was ended.

But his real education continued. The father did not allow his boy to neglect their mother tongue. He opened the way for him to read and appreciate German literature, history, and music. Grinnell College was only some twenty miles away and Mr. Shultz dreamed of sending his son to this pioneer institution but both came to the realization that a fourth-grade preparation and a pioneer farm offered little encouragement toward a college degree.

The year Lewis Shultz was of legal age, 1870, he asked for a year away from the farm on which he had worked without wages since he was old enough to drive a gentle team. The outlook for agriculture was gloomy indeed. Speculators had obtained possession of much of the best land, holding it for high prices. Lewis Shultz wanted to be sure that he was not mistaken in his desire to be a farmer. He tried working in a lumber yard at Davenport and did not like it. He joined a railroad grading gang and took his turn at full days, half days, and lay-off days. The living conditions and the uncertainty of employment did not appeal to him at all. He hired out to a farmer near Dubuque and became known as the most capable hand binder in the neighborhood. Another man hired him to bind sheaves in

his fields of small grain. This man, too, was a land speculator. He was taking all he could from the soil and then selling at an advanced figure. He even tried to cheat his large crews of harvest hands to further swell his riches, but he reckoned without the young German worker by the name of Shultz. Lewis journeyed to Dubuque, hunted up a reliable lawyer, and offered him a percentage of the wages if he would collect what was due the harvest crew. The land speculator paid in full.

One year away from home was enough. The land in Poweshiek County and in nearby Jasper County called him. In the fall of 1872 he made a visit to the latter county and there, according to his own words, he found "a gold nugget weighing one hundred and nineteen pounds". As often as he could he journeyed the long distance of twenty miles to admire the pure gold of his discovery. She lived with her parents, as Lewis lived with his father, neither asking a wage for their share of the hard pioneer labor.

In the fall of 1873 the girl's father called Lewis aside. "Look here, young man", he said, "I think I know what you and my daughter are thinking about, but I want to know what prospects you have for supporting a girl in case you ask her to marry you. Do you have any property? Have you saved up any money?"

"I have always worked for my father without wages", Lewis replied, and added, "Father says he expects to help me when I start a home of my own."

"Well, if you are to marry my daughter, I don't want to see you start out as a renter, not when land prices are as low as they are now. Across the road is 110 acres of good land. A speculator is forced to sell it and it can be bought now for eighteen hundred dollars, but it must all be paid for in a year. This is what I will do. I will buy the farm for my daughter and make the deed in her name. I will

pay down six hundred dollars and give my notes for the remaining twelve hundred dollars. If you young folks make good, the farm is yours. If you don't make good, I will take it for myself. This is your start." The father-in-law-to-be paused for what seemed a long time. "This is your start", he said again, "but don't ever let me see you with your front paws on my gate asking for more."

Lewis Shultz and the Jasper County maid strolled over the land. He returned home to talk matters over with his father. She sought the wise counsel of her mother. Mr. Shultz listened with attention to all his son had to say. "I believe it is a wise move", he said, "I want to help you. You have been a good boy and I want to show you what it has meant to me."

On January 1, 1874, in the midst of a widespread agricultural depression, the young couple took their marriage vows. Lewis brought gifts from his father—a well-matched team of young horses, a new Weir walking cultivator, an iron-beamed walking plow, a harrow, two good young cows, two brood sows, and two dozen Plymouth Rock chickens. The bride also brought gifts of livestock and household necessities from her old home.

An old one-room blacksmith shop, which had later served as a shelter for cattle herders on the open prairie, stood on the new farm. This little building became the first home of the happy pair. One day the bride said to her husband, "Lewis, if you could add a little room large enough to hold my cook stove, I would have a place in this part of the house for the new rag rug I have woven." The young husband made haste to find rough lumber for the walls and the roof. The stove was moved out onto the dirt floor of the lean-to and the new rag rug laid to show its gay colors.

One day in early May, Lewis Shultz was breaking virgin prairie land for a new field. The tough sod of blue stem

grass turned back in thick heavy strips of rich black earth. He was dreaming of the yields of future years. He did not, at first, see his father approaching.

For a moment they looked at each other in silence. The older man had something to say which he found difficult to put into words. "My son", he said at last, "I came to this country a poor emigrant and brought you here a little German boy five years of age. You have worked hard and have helped me. But I have worked hard too and built up a reputation for thrift, honest dealing, and clean character. Don't you ever let it down."

Then he took from his pocket a roll of bills and counted them slowly and carefully. Four hundred and fifty dollars. These he gave to his boy. "And five hundred and fifty dollars more will be ready for you January first", the older man added. "With what your wife's father gave you and what you make from your crops and livestock you should have your farm free from debt a year from now."

And it was so. The hard-earned dollars accumulated slowly but on January first, 1875, the young couple had two hundred dollars to show for their combined work for the year. No one feared that they would be found with their "front paws" on anybody's gate. The Shultz reputation would not suffer at their hands. And the Shultz name was to be preserved also.

On January 4, 1875, a little seven-pound plowman came to the Shultz home. In March, 1876, another boy was born. A third son came in June, 1878; a fourth in April, 1882. On May 9, 1885, the fifth and last little plowman came to claim his place at the Shultz fireside.

These sons would some day need land on which to build homes and raise families, but first of all Lewis Shultz set about providing comforts for his boys and their mother. For four years the blacksmith shop shelter with its dirt

floor lean-to had to serve as a house. The water was carried in buckets a distance of 3300 feet, more than half a mile. A good substantial house and a deep well close by caused genuine rejoicing in the fall of 1877. Three years later the first addition to the home acres was made. A forty was added and four years later another forty. Six years later, when people were losing faith in farms, Lewis Shultz bought another eighty acres.

The depression of 1893 came on. What was a farm worth? Whatever you could get. Five sturdy boys made the Shultz land yield abundant increase. Mr. and Mrs. Shultz looked ahead. Land was worth more than its selling price, so they bought a tract close by of almost eight hundred acres. In 1896 they made their last purchase — a very desirable piece of land of ninety-six acres with good improvements. They needed this to square out their fields and paid more for it than their judgment dictated. Seventy dollars per acre was getting close to, if not beyond, the actual producing possibilities of even good Jasper County land, Lewis Shultz thought. The taxes on 1155 acres amounted to \$285 per year.

Five farms have now been carved out of the original holdings of Mr. and Mrs. Lewis Shultz. Each of the five sons has been furnished a home, livestock, machinery, and the traditional German feather beds. Half of the income from each farm came back to the parents until the sons were able to make the purchase of the land in their own right.

The old folks spent their declining years in comfort and security. They traveled when they cared to but always returned with joy to the home farm where they began life together. The oaks and elms planted as little seedlings had grown to mighty trees. Substantial buildings which they had erected still sheltered the livestock and protected the gathered grain. Old friends were there to live over with

them the experiences of pioneer days. The Patrons of Husbandry or the Grange, as the organization is better known, was a social force in the early days of Iowa. Mr. and Mrs. Shultz were charter members of the Buena Vista Grange, Number 544, the first chapter organized in Iowa. Both were members of a pioneer German church.

Lewis Shultz was eighty-five years old in April, 1934. His habits of thrift, his desire to own land, his good judgment were true German traits. He was not schooled as a man of letters, but in the broader sense he was truly educated. He read good books in two languages and appreciated the art and music of the older civilization. He learned as a very young man to think and to act for himself. These things he had in store for life. Life in turn had much in store for him. The material things, however, did not smother the abiding riches of life.

The author has heard him repeat many times these words which he credited to Horace Greeley. They summarized the old man's philosophy of life! "Fame is a vapor. Popularity an accident. Money takes wings. Only one thing endures and that is character."

BENJAMIN FRANKLIN STEWARD—GREENE COUNTY

A Retreat from the Soil and a Return to It

The father of Benjamin Franklin Steward was a farmer and the son of a farmer. The year 1860 found him with a wife and child on a farm almost within sight of the Mississippi River. But war clouds hung heavy over the land, and youth, regardless of home obligations, was drawn into the conflict. Young Steward marched away with Sherman's Army to the Sea. He never came back. A soldier's grave in Georgia marks the last resting place of the young husband and father.

The widow moved west. Land was cheaper two hundred

miles beyond the river and the opportunity for wage-earning seemed more promising. She bought eighty acres on the edge of a growing inland town ahead of the railroad in Greene County. She could live and work in the village and look after her farm at the same time.

Her growing boy was truly a product of the period from 1870 to 1890 — pioneer days for the upper Mississippi Valley. Before he was ten years of age he was earning money by herding cows on the open prairie, and today he has in his possession a forged link log chain which he picked up along one of the old transcontinental trails that crossed central Iowa. He knew the land for miles around his home village. He herded cattle on the uplands when spring was in the air and water covered thousands of acres of bottom or low land where the wild water fowl came in countless numbers. He moved his herds to these bottoms and grazed them there on the luxuriant grass when the rains of July and August failed. These acres, the pioneer farmers said, would be drained some day and when this was done some of the best fields in the country would be opened for cultivation. The boy never forgot those remarks. He loved the land and the sturdy pioneers who farmed it. He and his mother seriously considered attempting to cultivate their own little farm when Benjamin was fourteen years of age. The boy had completed the eighth grade of the common school and was sturdy and self reliant. But the late eighties of the past century was a time of falling markets and a farm was almost a liability, particularly if any mortgage stood against it.

Young Steward continued to work at any job he could find in the village or the county round about. The Northwestern Railroad, which was later to connect at Omaha with the Union Pacific and become one of the main freight and passenger lines between Chicago and the Pacific Coast,

improved its roadbed through Greene County and established a division point at Boone, a few miles east of the village where the Stewards lived. The young man picked up odd jobs about the yards and helped now and then on the switch engine. But he liked the farm and the girl he had married was familiar with farm life. Farming, however, was not easily started. The year 1890 saw the end of the frontier as a distinct area. Free land was still available, but it was in a dry country and "black blizzards" were known before the spring of 1934.

Times were hard and political unrest was abroad in the land. Agriculture, as always seems the case, was the first to suffer. The agrarian economy, which had been the first thought of the nation since the Declaration of Independence, was now second to industry. In 1890, the tariff on imported goods was raised fifty per cent but it did not help the farmer. Corn sold for ten cents a bushel in Greene County, and hogs for two and one-half cents a pound. Many people burned corn instead of coal: in Kansas and Nebraska particularly it was the cheaper fuel. Wheat went lower and lower in price and did not stop its downward trend until 1894.

Steward and his young wife listened to political prophets who said we were growing too much wheat, corn, and hogs. They heard it said that articles for food, clothing, and shelter were primary products, that articles such as pianos, bathtubs, and watches were secondary products. These prophets argued for a high tariff to protect the "infant industries" engaged in the manufacture of secondary products. Subsidies were secured for lines of transportation which were to carry these products to the country, and to transport food and other raw materials from rural sections to the centers of industry.

In 1890 Mr. and Mrs. Benjamin Franklin Steward left

the village and moved to the growing city of Des Moines. If there was a surplus of the primary products and not enough of the secondary products, they concluded that opportunity lay in casting their lot with the activities of the latter.

The cities of Iowa grew and the rural population declined. Between 1880 and 1890, six hundred and eighty-six of the fifteen hundred and thirteen townships of Iowa decreased in population. Other young couples, like the Stewards, moved to the cities. If the increase in urban population throughout the land had been limited to the inflow from the rural districts of the United States less serious problems would have developed and the "Sons and Daughters of the Soil" might have been more content. But selfish capital took advantage of every situation. Cheap labor was imported. Less than ten per cent of the foreigners who came, some ten million of them during the two decades, were from north or west Europe. Thirty-five per cent were illiterate, as compared with three per cent of those who had come earlier from England, Germany, Holland, and the Scandinavian countries.

The soft coal mines round about Des Moines opened and temporary towns like Oralabor, Saylor, Angus, Carney, and others sprang up near the capital city. The shelters in which the men and their families lived belonged to the coal companies. The miners had little desire to own homes. Many of the workmen had come to this country with no intention of becoming citizens, but only to make a little money and then return to their native country and retire.

Benjamin Franklin Steward had an excellent opportunity to observe the effects of all this. He was an extra fireman on the railroad and his runs took him into various switchyards. In Greene County as a boy he had known thrifty Dane, Dutch, and German farmers who worked hard

to subdue the land and make a home. They learned to speak English, took part in road building, school elections, and all that goes to build up a permanent community. But these soft coal miners were mostly Poles and Hungarians, Italians and Lithuanians. They made little attempt to learn the language, and conditions in mining and communities offered little inducement for them to become home-owning, law-abiding citizens.

A mixed train left Des Moines in the small hours of the morning. A crowd of soft-coal miners, after a night of uncomfortable living or unwholesome amusements, boarded the train. They were in bad humor. The men spoke different languages and one nationality developed a hatred for another. A quarrel arose. A fight followed. One man whipped out a knife and struck, blinding his opponent in one eye.

B. F. Steward observed such affairs day after day and deep in his heart he longed for the open country again. Mrs. Steward, too, missed her garden plot and the fresh milk from home-owned cows. She put aside a regular amount of the pay check each month, but no growing colts or calves or flocks of poultry assisted in her thrifty endeavors. Then, too, it developed that her husband's hearing was defective. He could never become a railway engineer. Runs were irregular and uncertain. Wrecks were not uncommon. Mr. Steward came home with an anxious look on his face the day he took the broken, lifeless body of his cousin from under an overturned engine.

A special delivery letter arrived soon after from the old country doctor back in the little town in Greene County. A good farm, one the young Stewards knew well, was for sale for twenty dollars and fifty cents an acre. The young couple did not wait to reply. They took their two young children and boarded the next train for their old home. The

purchase was duly made and this "Son and Daughter of the Soil" returned in 1891 to the fields and meadows they both knew and loved.

But no Utopia awaited them away from the city and its problems. Everything appeared to be conspiring against the farmer — nature in a series of drouths and other disasters; an unbearably heavy burden of debt; the discriminations and high charges of great corporations; the declining gold production, which was lowering the prices of farm produce.

But Mr. and Mrs. Steward held on. They had no desire to return to the city even if the income from the land was so meager. They knew that farmers were suffering in all the principal countries of the world as they seem always first of any to do when times of depression come. In 1894 it took almost exactly twice as many bushels of wheat to pay the interest on a thousand dollar mortgage as it did in 1880. The prosperity that the manufacturers enjoyed did not reach down to the four million wage earners and to the rank and file of the farmers.

But the young couple who had retreated from the soil and then returned to it were finding certain satisfactions that money could not buy. The number and quality of their flocks and herds increased. Best of all four healthy, growing children were helping more and more in the business of the farm, and the parents came to renew their own lives in those of the next generation.

Schooling gave them concern. The one-room school building offered many advantages and the Stewards always insisted that teachers of character and stimulating personality be engaged in their district. But the one-room school was not enough. The parents planned for each of their children a high school and college education. A fourth grade preparation might have sufficed for the pioneer and

an eighth grade for the generation following but agriculture was fast becoming a world related business. Meat and grain, vegetables and fruits from various parts of the earth competed for world markets. Plants and animals were introduced to new environments. This increasing exchange of products, both manufactured and direct from the soil, carried with it the problem of disease and insect detection and control. The soil of even the most fertile farms demanded treatment of which the pioneer knew nothing. These parents realized that their sons must learn to coöperate with one another and with industry. More than a rural school education seemed necessary to give the necessary background and understanding of world problems concerning agriculture and rural life.

Roy, the oldest son of Mr. and Mrs. B. F. Steward, was much needed at home. Three years in high school at a town some distance from the home farm seemed to be all the family could manage. But neither the parents nor the boy considered this preparation sufficient. The School of Agriculture, in connection with the College of Agriculture at the Iowa State College, offered a two year vocational course and by careful management the parents were able to see their oldest child complete this work with honors. The younger children have all secured a college education. Benjamin Franklin Steward was sixty-five years old in 1934. His love of the land and his habit of spending less than he earned were due largely to his early training and experience. His ability to light on his feet when thrown was acquired while herding cattle and working by himself. His appreciation of the advantages and the beauties of the open country developed during his boyhood days.

The soil has yielded him a livelihood; work has given him a strong body and a clean mind. Fields and flocks have provided the means to educate his family with enough more

to enable him and his wife to retire to their own cottage in town. Almost every day he drives out to his farm and mends fence, cuts weeds, and visits with his tenant or his son and grandson on a farm nearby. His letter dated July 19, 1934, closes with these words:

“Hoping to see you sometime and talk it over.” And there is much indeed to “talk over”.

The period from 1910 to 1930 was one of specialization in farming as in other fields. It saw also, as never before, the application of science to agriculture. Botany, zoölogy, chemistry, and engineering coöperated to make two blades of grass grow where one grew before, to increase the size of livestock, to prevent loss by disease. The stories of six men who have come of age and entered the ranks of the farming class during this period are presented to show the vicissitudes and opportunities of farming during this time. They reveal the story of failure and success, specialization, and education.

ROY STEWARD — GREENE COUNTY
Five Good Years

Roy Steward, son of Mr. and Mrs. Benjamin Franklin Steward, is the first of these six men chosen to represent those who have come of age and entered the ranks of the farming class during the period from 1910 to 1930. This generation has been called the “lost generation” by many able writers but one is forced to define the term “lost” before he can agree with the statement. The loss of material wealth among those engaged in agriculture has, during the last fifteen years, been appalling. The men of the generation from 1910 to 1930 began their farming operations on a rising market and purchased their livestock and equipment at high prices. Obligations became due when markets were low and continually going lower.

Roy Steward found five good years before the bottom dropped out of agricultural prices. He began as a renter. Then he bought a farm at just ten times the price his father had paid for adjoining land twenty-four years earlier. The boy inherited few worldly goods but the sturdy body, clear brain, and well trained hands and eyes were legacies no depression can touch.

He was always certain that he wanted to farm. His son, who has now reached the age where young men choose their life work, is not sure he wants to farm, but Roy Steward seems never to have had any question about what he wanted to do during the active years of his life. After he graduated from the School of Agriculture he returned at once to the farm. During that summer, however, he was persuaded by a county superintendent to sign a contract to teach special classes in agriculture for mature students and adults in a school near the center of Clinton County.

The young man had no experience in teaching and no training in pedagogy. He was quite sure before the year was over that teaching was not for him. He wanted to plow and plant. He was equally sure he wanted the daughter of a successful Clinton County farmer to go with him, if she would, into his chosen life work. She was persuaded to link her life with his, and one needs to be in their home but an hour to realize how happy that union has been.

Roy Steward returned to Greene County in the late spring of 1913. He helped his father as before but cast about for an opportunity to acquire land. He rented eighty acres for the year 1914 and contracted to buy the land one year later. The young woman from Clinton County came out to Greene County to visit the Steward family and to look over the purchase proposition before the final papers were signed. She agreed with her fiance that it would be wise to buy. The young man farmed the land during the season of

1914 and improved it as he could, at the same time making ready the old house for the coming of his bride. This dwelling and a few outbuildings were the only improvements. The marriage took place in the early spring of 1915. Prices of farm products were encouraging, but even at that, sixteen thousand dollars seemed a staggering obligation for two young people to assume. They had little money to pay for this high priced land, a price double what it would sell for today. Yet they wanted their own farm. Their people wanted them to buy. So Roy's parents mortgaged their own place heavily to supply the necessary cash and credit for the son and his new wife. That was in 1915. Farm products were selling at high prices. Farmers were spending freely and the price of land continued to advance. Many farmers were buying automobiles and extra machinery and adding to their acres. Not Roy and his wife. They had one ambition, and that was to rid their little eighty acre farm of its mortgage and to repay their parents. Corn and hogs became the central feature of their production program. A few dairy cows, a few feeder cattle finished each year, a small flock of Shropshire sheep, and several hundred barred Plymouth Rock hens added to the income.

Five good years from the date of the purchase the place was free of debt. In celebration, the young couple bought and paid cash for a used automobile. This gave them opportunity to take their little ones on a few excursions. It gave them better opportunity also to engage in church, school, and farm organization activities. But the habit of spending less than they earned was firmly fixed. Little by little their savings grew. The farmstead began to show new improvements following a well-laid, long-time, plan. Because these thrifty parents were looking far ahead they gave careful consideration to their situation — eighty acres of land, a son and two daughters, no debts, and an old

house to which the children could not invite their friends with pride. They decided the home eighty must never be mortgaged, and it never has been. However, eighty acres was not enough for efficient farming of the type Roy Steward had found profitable even in the face of falling prices. When an adjoining eighty was put on the market at one hundred and seventy-seven dollars and fifty cents per acre, the Stewards had cash enough on hand to make a substantial payment. A mortgage was given back on the same land for the balance.

Farm prices continued to fall, but these thrifty people continued to accumulate slowly, and in 1928 the third step on their program was taken. A beautiful brick house was built. Hardwood floors, a sun parlor overlooking the garden and orchard, a washroom in the basement with the entrance from the grade door, a furnace, a water system, a lighting system, and a kitchen that must have been a joy after the one in the old house. Every item in the new house was paid for in cash. The retirement of the mortgage on farm number two had to be retarded, but with a comparatively small amount of interest to pay, the outlook seemed encouraging even in 1928.

Land continued to decline in price and the purchasing power of the farmer's dollar was still below that of industry, but the Stewards did not lose faith in the soil. A forced sale of a farm near by put a sixty-acre field on the market at one hundred dollars per acre. This was just half what these young people had paid for the home acres. They bought the field but had to put a second mortgage back on farm number two, to make the purchase.

Since 1928 prices have tumbled. The interest on both mortgages has been kept up and now and then a very small payment on the principal has been made. However, if a demand were made for immediate payment, or the entire

mortgage should fall due without privilege of renewal, farm number two and farm number three would have to go. But if the third farm should drag the second down with it, the homestead is still safe.

No student of rural economy could say that Mr. and Mrs. Roy Steward lacked foresight in their purchase of the needed land. If these two young people can not retire the mortgages on their two small farms under their careful, economical system, then the gods have pity upon the millions and millions of other farm loans throughout the United States. The history of the nation fails to reveal any other investment over a long term of years better than conservative loans on land which is tilled by the man who owns it. But "I do not deserve any special credit for owning a good farm", said Roy Steward. "If I had bought land in 1920 instead of 1915, I would have lost my farm and that of my father as well". The story of "Fifteen Bad Years" that follows proves his point.

MERWYN GEORGE — BREMER COUNTY

Fifteen Lean Years

Persons born and raised in the city can never know the hunger of rural people to own land, to plow fields which belong to them, and to plant trees and vines for the enjoyment of themselves and their children. Roy Steward had this desire. So did his father and his father's father before him. Merwyn George had this same desire. Today Roy Steward owns his home farm free from debt. Merwyn George has seen his farm sold at a sheriff's sale and the mortgage company take the land which he had labored so hard to improve and pay for.

Perhaps if Merwyn George had been content to do without any modern conveniences, if he had required his wife to carry water from a distant well and to help in the dairy

barn and in the fields as pioneer women often did, if he had walked to town, a distance of several miles, or driven a slow team that distance to market, if he had stifled his own desire to sing and help other people to learn to sing, if he had taken no part in church or school or farm organizations and had been willing to make of himself just a hewer of wood and a carrier of water he might own a farm today. Perhaps. But he was not so content.

"I feel", he writes, "that had I bought no land and been satisfied to have rented I would have been better off today financially. But I wanted to make a home and it did not work out."

As the author writes these lines he had before him this letter and a group of kodak pictures which this old student and friend has sent him. Here is a picture of a splendid oat field where the shocks stand thick on the ground, the result of good rotation, proper soil preparation, and selection of seed of a superior variety. Merwyn George is seated behind one of these shocks enjoying a moment's rest and the cool drink and the light lunch which his wife had brought him. A lovely little girl and a sturdy lad complete a perfect picture. Here is another of the mother and the children seated on a rustic bench beneath the trees in the farmhouse yard. Those trees show the care of a man who loved them. Nearby a clump of delphinium and a row of hollyhocks lend their touch of color. "Blessed is the land that is tilled by the man who owns it". But Merwyn George does not own this land today. No man owns it. A corporation holds the deed and a corporation can not care about the flowers that little Mary George planted nor the tree where John had a swing. Such sentiment does not pay six and eight per cent dividends.

But Merwyn George is a good farmer. His neighbors, the farm papers, and a group of the best judges that could

be secured agreed to this in 1929 and named the man a Master Farmer, one of the youngest ever so honored in the State of Iowa. They have no measuring stick now by which to judge what constitutes a successful farmer. Those who tried to provide comfortable surroundings for their families, who put permanent improvements on their places and who gave generously of their time and means to upbuild the community have been the very ones most severely penalized during this depression. This was particularly true of the young men who began their farm operations immediately following the World War.

Although the practice of naming Master Farmers has been discontinued, the score card by which they were judged in Iowa need not be entirely discarded. The manner of their selection is still of interest. Under the old plan friends and neighbors sent to the farm paper the name or names of men they considered worthy of consideration. Score cards were then sent to those who had made the nominations. If any number of these came back with a favorable score the farm paper sent a representative into the community to gather confidential information from business and professional men, as well as from farmers. When all the information concerning each candidate had been collected the list was carefully sifted and a group of impartial judges of State and national reputation selected from a list of perhaps a hundred the few who were to receive the title, Master Farmer. One year the judges selected only five and in no year did their list ever exceed ten in number.

The author does not know what score out of a possible one thousand the judges gave to Merwyn George. Their report and the report of friends and neighbors who first made the nomination are not open to the public. Nevertheless it is interesting to use the points emphasized in the score card and do a little scoring that the public *can* see.

Good Farming: "They must be men who are not only making money but are making their farms more productive." Merwyn George was a renter in 1919 but bankers and business men and not a few farmers urged him to buy a farm. They provided the money, at a high rate of interest, to supplement his careful savings to make the down payment on two hundred and sixty-four acres of land at one hundred and eighty dollars an acre. They assured this young man that the land would soon be worth five hundred dollars an acre, and, unwisely perhaps, he listened to older men upon whose judgment he had a right to depend.

For ten years and lean years, too, Merwyn George kept his buildings in repair, increased the fertility of his soil, planted trees, and stopped any erosion spots in the fields at their beginning. On the home place of 130 acres he not only kept up the interest but paid \$14,700 on the principal. "But in 1932", he writes, "when hogs went \$2.50 and butter fat to 17c we could not make ends meet and have turned the place over to the company." Then he added, "The same year we bought these farms a consolidated school was built and our land was in this district. During the time we owned the farms we paid between \$6000 and \$7000 taxes". More than twenty thousand dollars paid on obligations in ten lean years in addition to providing for his family and contributing his share toward community enterprises. This is the record of one Master Farmer. A record which he and his friends may refer to with genuine satisfaction.

Clear Thinking: "Clear thinking", says the score card, "calls for more than thinking about one's own individual problems. Schools, farm organizations, state and national problems and those of the community must have a part in the thoughts and time and plans of a Master Farmer." Merwyn George is a musician of more than ordinary ability.

He used to lead the village choir and was a member of the male quartette that won first place at the State convention of a farm organization which featured music as a phase of farm living. Mrs. George has long been a leader of a group of 4-H Club girls and any mother would be happy to have her daughter in an organization guided by this cultured and unselfish woman.

But this young Master Farmer does not lead the choir any more and can not find time, nor has he the energy, to go at night and practice with a quartette or men's chorus. A rented farm with no hired man makes for weariness that leaves no desire to sing.

In June, 1935, a chorus of farm men and women and soloists of excellent ability, all of whom were actual farmers, presented the opera "Bohemian Girl" on the athletic field of the Iowa State College. More than ten thousand people crowded the stadium to hear this remarkable presentation. The whole effort was so excellently done that it attracted nation-wide attention. The director of music for the event tried to get Merwyn George to take a leading rôle, but he could not spare the time from his rented farm nor did he dare make any extra trips with his used car.

Right Living: "Right living" first calls for a home, but Mr. and Mrs. George have no home that they can call their own. These young people have lost their farm but they have not failed. Failure takes place in the heart.

Mrs. George continues to lead the young people in church work and the farm girls in their 4-H Club activities. Her husband would carry on his community projects if his time and means allowed. "We should try to leave the community in which we live a little better for having passed that way. We have rented a 200 acre farm of a friend of ours and are going to carry on in the farming game." Then he closes

his letter with this stimulating sentence, "I may be broke but I am not licked."

One could read such a communication out loud at the foot of the monument on the State House grounds and easily picture a smile of satisfaction playing about the eyes of the old pioneer as he shades his eyes with his hand as he "looks west".

SCOTT ELLIS — DALLAS COUNTY

Banks and Farms

Scott Ellis, whose story this is, believes the obligation of the "lender" is as sacred as that of the "borrower". He agrees with W. W. Aldrich of the Chase National Bank, New York, who says "the immediate and direct responsibility for preventing the reoccurrence of faulty conditions rests with those who are engaged in the management of commercial banking institutions."

This farmer of Dallas County, Iowa, is interested both in a bank and in farms. He lives on his own farm and operates it. He is interested in other farms and takes an active interest in farm organizations and coöperative marketing plans. He has paid his repeated assessments on bank stock without flinching. He is a disciple of the old order of thrift and hard work, and is enough of a stickler for meeting honest obligations to be classed as a conservative. Again, if heard talking or seen fighting against the abuses of the old order, he would be classed with the so-called radicals who are determined that the world judge the old system by the record of the last ten years — and that record is bad.

The story of Scott Ellis begins with his maternal grandfather. Mr. Scott had only one child who lived to grow up, a daughter. Three other children had died of diphtheria under pioneer conditions far from proper medical care. This daughter married a young farmer by the name of Ellis, and

to this union were born two children, a son and daughter. Father Ellis died while these two were mere babies. Sturdy old grandfather Scott came to look upon the boy as his own son rather than his grandson. The old gentleman was Scotch. He believed in hard work and careful saving. He did not believe in banks. He had seen too many evils of the old system when foreclosure on land and chattels at the first opportunity was considered good banking. So Grandfather Scott put his savings into land and more land. He bought a quarter section here, an eighty there. These he put in the hands of renters, either for cash, or for a share of the grain and livestock. Not much attention was paid to the care of buildings or to the maintenance of soil fertility. Scott Ellis inherited these scattered acres and the responsibility of caring for them.

About 1910 the sharp upturn in agricultural prices began. Scott was in high school. Duties and responsibilities which might have bewildered a more mature person were the daily experiences of the lad. He felt his own preparation inadequate; his high school studies unsatisfactory. Latin is a valuable subject, and has long occupied an important place in the educational systems of the world, but this farmer boy failed to see the connection between Virgil and the cattle market. Social and athletic activities in the high school have their important place, but Scott did not have time to enjoy them fully.

When work in the School of Agriculture at the State College of Iowa was first offered in 1910, Scott Ellis dropped out of high school and enrolled. This practical production farmer course of training seemed to be what he wanted. He was mature enough to be admitted and experienced enough to profit by it. From the standpoint of finances it was unnecessary, but Scott felt that from the standpoint of training it would be desirable for him to live at the college barns

along with the groom and two students who had to work their way through school. Today Scott Ellis buys and sells horses as one of the side lines to his farm operations, and the college horse barn is one of the places he insists on visiting when conferences call him back to Ames.

In June, 1912, he returned to his own home and to the thousand and one duties that awaited him there. At college he had caught the spirit of coöperation among farmers, and he wanted to do his share along this line. A coöperative elevator was needed. A coöperative livestock shipping association would save the farmers thousands of dollars. A small bank in the village was lending money to grain and livestock producers and doing a general banking business. Scott bought shares and became a director. He managed his farms, watched the progress of the bank in which he was interested, promoted a coöperative elevator and shipping association, and was often at the bottom of some good prank that left the joke on one of his young bachelor friends. War came on and Scott was called. It was natural that he became a stable sergeant and decidedly satisfactory to both the horses and the commanding officers.

After a year in service he was at home again with the old problems and the old bachelor crowd. But a farmer without a good wife is about as handicapped as a surgeon in the operating room without a good nurse. The teacher of home economics and history in the village high school was a Minnesota girl, but somehow she fitted into the community and into Scott's standards of life and conduct better than any Iowa girl he had met. The wedding was set for a day in June after the school contract had been fulfilled.

That day drew near. The bride-elect was at her parents' home in Duluth making ready for her own home. Scott went about his various duties and kept his bachelor quarters with

a tenant family on the old home place. About a week before the wedding day two bachelor friends moved in and posted guard as at a military post. The former stable sergeant was a prisoner, free to go and come so long as he did not start for Minnesota. Guards were changed frequently. Nothing was said as to how long they intended to delay that wedding at Duluth, but a week perhaps would have satisfied the jokers. Day after day went by with no opportunity for escape. One guard kept watch at night while the other slept, but both were ready and able to hold and bind their victim if they thought it necessary. Two days remained before the groom was due in Duluth. Two "buddies" were more diligent than ever as they kept their watch. But a herd of horses on one of the farms demanded attention. All three rode out in a little Ford truck rightly christened "The Puddle Jumper". The gasoline tank was full, and the oil was at the top of the gauge. It was no easy task to separate young horses from the older ones and all three men fell to the task with a will. An observer might have noted that the stable sergeant was in command. Restless animals separated the two guards from the road. The "Puddle Jumper" stood just outside. Click went the gate. The prospective groom bounded into the car and was away. Clad in overalls and work jacket and with no money in his pocket he stayed not, nor looked back. The little car responded to the urge of the escaped prisoner, and a long distance separated the guards from the nearest phone. The gas held out to northern Iowa and a reversed call from some out-of-the-way village enlisted the help of the mother. She wired money direct and sent his wedding suit and traveling bags to Duluth. Some friends half believe Scott's story when he says that he turned the "Puddle Jumper" loose to come home alone while the bridal couple went to the west coast on their honeymoon.

A happy family lives at the Ellis home, for they have two little boys almost exact miniatures of J. N. Darling's famous cartoon of the Iowa farmer, and one little girl a perfect dynamo of energy. Scott is still busy in seemingly endless activities. He is elder in the village church, and teaches an adult class. He has sold and traded land until his extensive acreage is largely in sight of his home. Both he and his city reared wife are very active in farm organizations. Scott Ellis still loves his jokes and livens any meeting with his carrying voice and contagious laughter.

But farming and banking in the Mississippi Valley have been no laughing matter for the past ten or twelve years. The results of the demand for quick liquidation by the Reserve banks and the sudden withdrawal of credit to country banks may some day be told. Coming generations may wonder that so many farms and banks actually did weather the storm. In May, 1920, the bottom dropped out of agricultural prices. European markets for pork, dairy products, and beef began to fade. Demands for American goods began to decline. The American workman began to tighten his belt. Economists, statesmen, and financiers became gravely concerned. All this came home with unusual force to the farmer and the country banker. They were the first to feel the blow.

The farm might become more self-sufficing, but the bank could not. Scott Ellis is both a farmer and a banker. The little bank in which he is interested has no powerful outside connections, yet it has not failed. This has doubtless been because the shareholders were willing to sacrifice severely, and were able to make the depositors and creditors see the need of rigid economy and unfaltering courage.

"Scottie" and a few of the other stockholders saw the financial storm coming while it was yet a long way off. They saw their unprotected position and persuaded the

board to do something before it was too late. They quietly secured waivers upon most of the larger deposits, then on all deposits for a period of years. They levied an assessment upon themselves equal to their stock. The next step was to follow up vigorously the collection of obligations due the bank in order to build up a reserve with which to pay the demands for withdrawals which might be called for from time to time, and to assure each depositor at the end of the waiver period a full hundred cents on every dollar of deposit. In this they succeeded.

The collection of notes due the bank was a grueling task. Up and down the countryside the strongest directors of the bank went week after week. These officials were soon convinced that it was not *credit* the farmer needed so much as *confidence* and *courage*. Man after man, when approached about his obligations, would either swear like a sailor or break down and cry as only a man can cry. Friends and associates and neighbors whom Scott Ellis knew would go down in a fair fight without a whimper, saw no place to fight. Conditions were like those in the trenches when the deadly gas came in from somewhere and left the men helpless and gasping.

Good soldiers and athletes know that a battle is not lost until courage is lost and the will-to-power has vanished. The directors of that little country bank saw that their first job was to bolster courage. They knew full well the cost of a bank receivership. Records showed that this procedure cost better than thirty per cent of the assets of a bank and a higher percentage of bitterness and misunderstanding. Worst of all a community is stunned when a bank closes its doors, and neighbor loses confidence in neighbor. So these directors went directly to their depositors and to those who had notes due or coming due at the bank and talked frankly.

Those bank directors are close mouthed men and do not

repeat conversations or betray confidences. The author alone is responsible for the following dialogue, but it is near enough the truth to illustrate the point.

"Yes, I know all about that note at the bank, I lose a lot more sleep over it than you do."

"Sure you do, Bill, but we wanted you to see just what we are all up against and what it would mean to the community if we all quit."

"Well, if you think I am any quitter just jerk off your coat."

"No, no, Bill we are all going to keep our coats on and our shirts too. It won't do any good to beat each other up. (A long pause) How many horses do you own now, Bill?"

"Five. And I don't have any chattel mortgage on them — yet."

"Five, and you are going to have more ground in clover and less in plow land next year?"

"Sure. I'd have been better off if I had just seeded the whole confounded place down to clover five years ago and not raised a pig or an ear of corn, or fed a steer."

"You are dead right on that, Bill, but you and I just can't sit down. We just have to plant in the spring just as a dog has to scratch his fleas. It is part of us. But don't you think you could take care of all your plow land next year with four horses?"

The man whose courage was beginning to come back to him pondered the question at some length and concluded he could get along with four horses. Scott knew where he could sell that extra horse for cash. A payment was made on the note at the bank and the interest brought up to date. Best of all the man could go into the bank with his head up. He shaved oftener, kept his clothes in better condition, and was able to laugh and joke with his wife and children and his neighbors again.

The little country bank did not go out of business. The people did not want it to. The deposits increased over thirteen thousand in a few days after the full deposits held under waivers were released. But no one will ever know, except the families of those bank stockholders, what the directors endured in criticism, false accusations, and selfish attempts of individuals and organizations to take advantage of the situation. They heard those complain most who had the least in deposits. Many critics had no deposits. They saw people use the situation as an excuse to escape honest obligations. People said they had paid the principal of a note in interest and would therefore refuse to pay any more.

Through it all those men stood firm. They believed and still believe that an obligation is an obligation. They believe that long and uncertain moratoriums are but a means of putting off the evil day. They observe that the States which pass the most credit laws and continually alter those already existing tend to keep out insurance money and other capital and thus harm the honest farmer who wants to make some improvement, or get an extension on his loan. They are pleased when the companies which take over farms improve them, stop the erosion of fields, seed acreages to clover, and rent the land back to deserving former owners or give them first chance to buy back the land which they once owned. In some cases the original loan has been reduced or scaled down.

Not one shareholder of that little country bank has proposed to step out from under his responsibility. Not all stockholders were able to pay in what was asked, but all sacrificed severely. Radios were left silent rather than renew batteries and tubes. Telephones were taken out. Old men who owned bank stock graded roads and sawed wood or did any kind of work, but the bank did not fail, and the de-

positors did not lose one penny. There were men in that group who had long planned to make the sunset days of their lives less filled with hard manual labor. They had thought to leave their sons land with which to begin the business of farming. These men have convinced the countryside that material things can be sacrificed rather than any should say now or in the future that others suffered through their failure to live up to their responsibilities.

Business is slowly recovering in that rural community. Saturday night, May seventh, nineteen hundred and thirty-four, the directors levied another assessment upon themselves. It cost the life savings of some of them. They have, themselves, assumed all doubtful and slow paper. This is the record of the "lenders". If those who may be called the "go betweens", the depositors, will continue to have faith and if the "borrowers" will bear their responsibilities as honestly and with as much willingness to go the second mile, all will be well. Such a spirit will draw all classes together in a greater common effort for the greater common good.

Powerful city controlled banks often do not understand the farmer and his problems. Coöperative banks, with the strength of the chain bank and friendliness of the country bank may come, but they are as yet a long way off. In the meantime those individuals and institutions who hold the "lenders" and the "borrowers" to the same rigid moral and financial standards will strengthen the faith of town and country and hasten the coming of a better day.

LARS PETER JOHNSON — MADISON COUNTY

Apples and Opportunities

The State of Washington is the leading commercial apple producing section of the Union, but this fruit is grown in a more or less limited way in Illinois and Maine and in some

thirty other States. One of the remedies suggested for the ills of agriculture is to limit, by law, the production of certain crops to certain regions. Russia has followed this plan with apparently satisfactory results. Under Soviet rule where the state is placed first and the individual second, this may be done. In the United States of America where the individual is first and the state second this remedy would be extremely difficult to administer.

Many regions devoted particularly to horticultural crops have been developed at great cost. To clear land of native vegetation, make provision for ample irrigation water, put in flumes, ditches, and drainage tile, all requires an enormous outlay of capital. On the whole, these ventures have justified the effort and today over sixty per cent of the commercial fruit crop of the United States is produced on land that was originally desert. These regions have been highly advertised. Provision has been made for careful inspection of trees and vines to be used in the orchards and vineyards. Regional entomologists and pathologists guard against insects and diseases and the fruit is systematically inspected, graded, packed, and labeled. The purchaser knows at a glance the number and kind of fruit in each container. It is not surprising, therefore, that the American apple grower has captured the commercial apple markets of the world.

The success of these highly advertised regions and the varieties grown in them has often led the public to believe that these are the only localities where such crops can be profitably produced. It would be foolish, of course, to attempt to grow oranges in Ohio or apples in Alabama. Nevertheless certain crops, particularly fruits, vegetables, and flowers, may be profitably grown in a limited way for local markets. In these days when the emphasis has been taken off the muscles and placed in the nerves, not less food is

required but a wider variety and an increasing amount of the vitamin-carrying fruits and vegetables.

Lars Peter Johnson thought he saw an opportunity to grow apples in a region widely advertised as "the place where the tall corn grows". Throughout the whole of this corn belt the old farm orchards are going or gone. Some suggest that these be replanted with young trees of the better varieties adding a few extra trees to serve the local trade. The general farmer, however, is often not a good fruit grower. His crops and livestock come first and his fruit second. It is often a bit risky to eat one of his apples in the dark. Growers of special crops in regions of general farm crops have found this situation to their advantage. Lars Peter Johnson found such an opportunity not ten miles from the spot where the original Delicious Apple Tree still stands and bears fruit within its protecting iron fence.

Lars, as his friends call him, is a huge fellow—six feet two, broad shouldered, with a hand that hides the ordinary hand in its palm, blue eyes, and a disposition as gentle as his body is large. One could wish to see him dressed as the ancient sea-kings of the north were dressed, Viking helmet with horns, ponderous sword and shield, cape and girdle of wild skins. This man who springs from such ancestors can do battle without flinching when the occasion requires. At the age of fifteen he was in north Sweden working alongside mature men felling trees, enduring the rough food and rougher living conditions of the far north. His father and mother were both dead so he had his own way to fight.

The United States of America is rightfully proud of the Scandinavian type of farmer. The care with which these lands select their sons and daughters who go out to foreign countries either to become citizens there or to return later to the homeland with their savings, has had much to do with our high estimate of them.

Lars Peter Johnson did not meet the girl who was to become his wife until he had been in America fourteen years and had been a naturalized citizen for nine years, even though both had come to this country the same year, 1905. They had both undergone the same rigid tests before they were allowed to leave Sweden. First they had to pass a good medical examination to make sure they were mentally and physically fit. Their court record was clear for they had never failed to meet an obligation nor committed any misdemeanor. No relatives were to be left uncared for should failure or misfortune overtake them in their adopted land. The fact that they desired to leave Sweden was advertised for three Sundays in the church. Finally they had to write a personal letter addressed to the King of Sweden telling him where and why they desired to go. Sweden cares well for her dependents and those physically unfit, but she desires only her best to go to other lands. These sons and daughters are to represent the Norse culture and those in authority guard that reputation jealously.

Lars Peter Johnson knew comparatively little about the country he proposed to make his adopted land. He did not understand the English language or American ways. To hear him tell today the thrill he experienced when he first saw the well known statue lift her lighted torch out of the mists of New York harbor is to catch something of the dreams of an emigrant youth. Yet hard labor and harder living conditions were his lot for the first seven years. The only work he could find was with a mixed group of foreigners digging coal in central Iowa. The vein in this district is only four feet thick and the men often work in a prone position. The coal is low grade and will not keep in storage. This makes both for a low price and an uncertain market. Wages and hours of employment are irregular.

Seven long years Lars Peter worked and tried to save.

Meantime he took out his naturalization papers and learned the English language. He was now twenty-four years of age and had saved very little money. Remembering his work in the North Sweden woods and the first money he ever earned, he went to the lumber camps of British Columbia where lumber jacks were needed, and worked four years. But the lumber job was even more uncertain than coal mining and Lars Peter Johnson came back to Des Moines and found a job again three hundred feet below the rich corn land of Polk County.

The twenty-fourth day of June, 1917, the coal miner laid down his pick, put out his miner's lamp and shouldered a rifle. He was the first man in the first squad of his company in the 350th Infantry of the 88th Division. They put the big fellows at the head of the column. In less than two months he was in France and two weeks later he was at the front. Gas and shrapnel both left their mark, but after a few weeks in the hospital he was back in battle. Then came the Armistice. But the "flu" took thousands of lives after the cannon were silent. Lars Peter was in a weakened condition from the effect of the gas and contracted the disease. For five months the best physicians and nurses thought they could not save his life, but a rugged constitution and a life of clean living won the fight.

In April, 1919, this naturalized American citizen sailed a second time into New York harbor after having offered his life for his adopted land. Soon he was back in Des Moines. He could not go into the mines again and even heavy work like chopping timber was no longer possible for him. But his government came to his assistance. The Rehabilitation Act passed by Congress provided funds for ex-service men like Lars Peter to go to school or college and learn a new vocation.

Apples, poultry, and bees. The soldier boy, not so strong

in body as he once was, thought this would be a good combination. After two years of special training in Horticulture, Agriculture, and Poultry Husbandry he was ready to look for a farm suited to his needs. He wanted a south slope for his poultry runs, clover fields and basswood trees near enough for pasture for his bees and bearing apple trees to produce a cash crop the first year. He found such a farm — seventeen acres with a small house, a good storage cave, and a few out-buildings on it, for which he agreed to pay \$5517.50.

Some months before, at a little party for the Swedish boys who had fought in France, Lars Peter Johnson had met Anna Benson. She was a capable girl who had saved her money. When she changed her name to Johnson she added her earnings to those of Lars and the combined sum was \$1000.00. They paid this amount down and agreed to pay \$35.00 a month with 7 per cent interest on the unpaid balance. They have never missed a payment. But half the credit must go to Mrs. Johnson for this splendid Swedish woman has hauled water, fed chickens, and worked side by side with her husband to make a successful farm and home from a rather discouraging beginning. In the spring of 1922, when they moved to this neglected farm, they began pruning, spraying, and nitrating two hundred and twenty-five old apple trees, building chicken houses, and establishing the colonies of bees. One horse hitched to a sled hauled the barrels of spray mixture up and down the apple rows and Mr. and Mrs. Johnson took turns at the spray rod and the pump handle.

Apple growing is a long time proposition. Trees do not come into bearing until they are six or eight years of age and not into full bearing until they are twice that old. But Lars had those old trees which he counted on for profitable bearing for a few years. Gradually these trees died out or were

broken by the wind and ice. At the same time the care he gave them increased the quality so the advance in price more than made up for the yearly decrease in yield. The first year he harvested over thirteen hundred bushels but the apples were small and sold for only seventy-five cents per bushel. The yield was two hundred bushel less the second year but the price secured was one dollar per bushel. The third year he picked a little over one thousand bushels and received a dollar and a quarter a bushel for them. The fourth year the yield fell below one thousand bushels but the quality was excellent and he received a dollar and a half per bushel at the orchard.

In the meantime this apple grower has dug out a field of stumps and planted a new orchard which is coming into profitable bearing now. The combined yield of the two orchards, the young and the old, yielded sufficient income to finish paying for the farm in 1932 just ten years from the date of purchase. Lars has not found it convenient to keep bees for profit. He has too much other work to do. Only enough colonies are carried over from year to year to insure ample pollen distribution from blossom to blossom. The poultry business has likewise ceased to be profitable.

Mr. and Mrs. Johnson began in the spring of 1922 with five hundred baby chicks and raised four hundred and ninety-three of them. Half were sold as broilers at thirty-two cents per pound at the farm. The other half of the pullets he kept for winter egg production when prices were high. The size of this flock was increased from year to year while the price continued favorable, until they had one thousand birds. The number was decreased from year to year as the price and profits declined. Now they have none. During the year 1933 even under their careful management they lost over one hundred dollars on their poultry flocks.

On May 24, 1934, I again visited at the Johnson farm. The land is paid for. The old horse has died. The poultry has ceased to be profitable. But enough is laid by again to carry this thrifty couple over the hard years, perhaps. A bank failure took part of their accumulated funds. However they did have a little in postal savings. The young apple trees and the few remaining old trees are healthy and in spite of a wind storm in the fall of 1933, a hail storm and drouth in the spring of 1934, he should make expenses and he has no debts. Now it costs him one hundred and fifty dollars to spray his orchard, as against forty dollars when he owned a horse and he and Mrs. Johnson worked alone. Today he hires the team from his neighbors for it is cheaper to hire the horses than to feed them, and he pays a man to help him. Mrs. Johnson can now spend her time in her house and among her flowers.

In a way Mr. and Mrs. Johnson miss the stimulus of the thirty-five dollar a month payment. Two days before this amount was due, as long as a dollar remained against the home, they walked or drove the old horse to town and paid that same bank where later they lost their savings. If the sale of the apples or the eggs or the honey did not come to enough they took a few hens along to complete the amount due. They never missed a payment.

The people of the village and the countryside think a great deal of these two people who speak with such a pronounced Scandinavian accent. A few who do not know the facts or do not care to find them out may think that the government bought the farm or granted big Lars Peter a monthly compensation. But the banker, the minister, the treasurer of the Red Cross, and others know this is not true, and the countryside as a whole is proud of citizens such as these two have shown themselves to be.

It would take but very few farmers in any given county

of the middle west to supply the apples for the local trade in the general farming districts. They can not compete with Virginia, New York, Washington, and Oregon for the fancy city trade and export market. The local market has suffered in these last years. The farmers have no cash to buy apples for themselves. They do not have the means to pay for the needed repairs and improvements about their farms. This in turn throws the village carpenter and painter out of work. He can not then purchase good apples for his family. They must get along with a few windfalls and culls.

But such conditions do not continue forever. Improvement always follows depression. The trend today seems to be toward a wiser distribution of factories and of industrial enterprises in general. But more important than good fruits or factories is the human factor. The ancestors of both Anna Benson and Lars Johnson have for centuries been God fearing, liberty loving, land-rooted people. For more than two centuries these Swedes, Norwegians, and Danes have migrated to America and carved farms out of the forest and the prairie. They have made the land rich with their industry and glad with their music.

Mr. and Mrs. Lars Peter Johnson have shown this same spirit of thrift, willingness to sacrifice, and a determination to own their own home and land. As long as this spirit lives in America there will be no lack of defenders for the flag nor food for the hungry.

CHARLES NORMAN BROWN — STORY COUNTY
Supervisory and Technical Positions in Agriculture

It takes many more men in supervisory positions in industry, than in agriculture. One appeal of the farm has always been that every man could be his own boss. It has been estimated that 5.79 per cent of the millions engaged

in manufacturing and mechanical industries are in supervisory positions. In agriculture this percentage drops to 1.8 per cent.

If collective farms should multiply and subsistence homesteads increase, the percentage of supervisors to the total number gainfully employed in agriculture would necessarily increase. At the present time, however, the number who leave these supervisory positions and go into actual production farming for themselves is very high. Men do not continue as teachers of agriculture or county agents, or cow test association managers for the major part of their lives.

Charles Norman Brown began as a production farmer and came into a supervisory position through what might be called a misfortune. His loss, however, was the State's gain. This young man had already been in the employ of the government for the duration of the World War, and he felt that was quite long enough. He much preferred to go back as a "plow-boy" instead of continuing as a "dough-boy".

His people for many generation have been farmers and "Brownie", as he is called, can still remember the heather covered heaths of south Scotland where he was born. But he grew up on a farm in Iowa and enlisted in the army from Poweshiek County. After many months in the hospital, he was discharged from service and came to the Iowa State College where he enrolled as a student in the "School of Agriculture". At the time of his graduation in 1925 he was awarded the gold medal of honor based upon scholarship, personality, and promise of future service to the cause of agriculture.

The young man had no other plan of serving than to raise good livestock and crops and take his place in the activities of his home community. He was not seeking a salaried job.

A teaching position or county agent work did not appeal to him.

Charles Norman Brown is Scotch. He saves his money. A year after graduation he counted his savings as a hired man and decided he could start in farming for himself. The young lady in the case had saved her flour sacks, sugar sacks, and money. She was ready to change a Bachelor's Degree for that highest of all degrees, "Home Maker".

"Oh happy, oh fortunate day
When a new home finds its place
Among the myriad homes of men
Like a new star sprung to birth."

Longfellow must have had in mind a new home such as Mr. and Mrs. Charles Norman Brown established on a rented farm in Poweshiek County, Iowa. They were very happy. The few cows, the team of horses, the playful spring pigs with their pink noses and the clear white skin of the Chesters, were a never ending source of interest and often amusement. Five hundred baby chicks peeped and scratched and grew. There were first the long straight marks across the dull brown earth showing where the corn had been planted; then the green blades of the sprouting seed. The meadow larks sang and the quail whistled loud from the fence posts and were unafraid. Early summer came. The small grain was ripe for the harvest and the long rows of corn were lifting their green blades to the sun. The baby chicks, under the careful care of Mrs. Brown, were about ready to sell as broilers. Now and then one was brought to the bride's table, fried rich and brown, and served along with the crisp white radishes, new peas, and spring onions from her garden. Flowers grew about the door.

One day Mr. and Mrs. Brown went to the village to make some purchases. The day was unusually warm. Not a

breath of air was stirring. It was good corn weather, Charles had suggested, even if it was a bit too hot for the small grains which were to bloom.

A great black cloud rose in the south and west. People ran for shelter. Charles Norman Brown and his wife thought of the grain fields, the cows, and of the chickens, and little pigs at home, but were powerless. Gusts of wind. Scattered stones of ice. Then came the deluge.

The weather bureaus of Iowa and the United States Department of Agriculture record many destructive hail storms in widely scattered sections of our land. Few have been more violent than the one that fell at Deep River, Iowa, in midsummer, 1926.

Mr. and Mrs. Brown made their way slowly back home when the storm was over. Great limbs of trees had fallen across the road. The little streams were running bank full, and here and there drifts of hail stones the size of pigeon eggs, and some even as large as hen's eggs, were lodged against the fences. The young couple could not speak as they drove into their own farmyard.

The little farmstead that had been a lovely picture three hours earlier was now a scene of almost complete desolation. The young corn was beaten to the ground. The small grain fields were ruined. The little vegetable garden was gone. No flowers remained. Dead chickens lay in heaps against the fence where they had run in sudden fright; the hail had beaten and chilled them to death. Some of the little pigs were killed. Even the weather boarding on the little home was split and broken by the impact of the heavy balls of ice.

The kerosene lamp burned late that night on the little table in the Brown kitchen. The combined savings of two young people had vanished. Charles Norman Brown had begun as a hired man. His next step up was that of renter.

He and his wife had planned that they would some day mount the next step and become part owners of a farm. They looked forward to the final rung which would bring them into possession of fields and farmstead debt free. The hail storm put them back to the starting place again. The young husband went out next day to find a job.

It happened that a group of twenty-six farmers near Indianola had just organized a Cow Test Association. They wanted some young man to go to one farm each day and weigh the feed, take the test samples of milk from each cow, weigh the total flow from each, and cast up the figures at the end of the month. They wanted to make a combined effort to weed out unprofitable cows. Charles Norman Brown accepted the job, and his young wife went back home for an extended visit with her parents.

The Agronomy Farm at the Iowa Agricultural Experiment Station consists of some two hundred acres of trial and test plots. Many new varieties of oats, wheat, corn, and other crops, each adapted to certain soils or feed requirements, have originated there. Crop rotations and soil treatments have been developed and tested.

Soil chemists, men skilled in genetics, ecology, and other lines associated with the problems of agronomy carry on their researches at this farm. One of the factors contributing to the success of the institution is a satisfactory foreman. Retired farmers have been tried in this position but the little plots, some only a single row, some one-tenth of an acre, were irksome to men who had been accustomed all their lives to man-sized fields. Young college graduates were tried, but they tended to make the place a stepping stone to more strictly scientific positions.

A man was needed who loved to plow and reap, who could keep accurate records, who could keep his counsel, and meet

visitors pleasantly. Charles Norman Brown seemed to fit these requirements admirably and was asked to give up his place with the coöperative cow test association and attempt this new job.

Mr. and Mrs. Charles Norman Brown moved their household belongings to the foreman's house on the Agronomy Farm late in the year 1926. They have been there ever since. They have made a position out of a job. A garden grows close to the kitchen and cans of home-grown beans, tomatoes, and berries line the shelves in the cellar. A good cow furnishes them milk and two pigs for the winter meat are fattened on the waste from the experimental fields.

This foreman keeps accurate records, and he knows the different plots as a good merchant knows his shelves and the quality of his merchandise. On the other hand "Brownie" refuses to answer questions which he is not prepared to answer. He will make no attempt to tell the chromosome count of an x-y-z cross of corn or wheat or oats. That is not his business and this man tends to his business. No person about the farm, technical expert or common laborer, seems quite as busy as young Brown. Plots must be plowed, seed separated and weighed, errands run, questions answered, and testing trials carried on with various pieces of farm machinery.

Charles Norman Brown does the actual work of testing the tools. Four years ago a plow was built without a mold board. A regular shear lifts the soil from the furrow bottom. Instead of the curved sheet of tempered steel of the ordinary plow which catches the furrow slice and turns it upside down, a revolving spiked wheel was substituted. This revolving part was driven in the first test machine by a tumbling rod which ran back from the power take-off of the tractor which drew the plow. The plowed land behind this machine did not look like an ordinary field. Instead of

long rough slices which dry out quickly unless harrowed at once, the soil looked like the flower bed of a careful gardener who knows the value of proper soil preparation.

One day the foreman was plowing one of the experimental fields with this new machine. The rod which ran back from the engine to the revolving spiked disc was unprotected. The shear of the plow tended to lift from the furrow bottom and the driver saw the need of more weight there to hold it in position. He set his engine to hold to the furrow without a driver, and stood on the plow itself. He wanted to be able to report to his superiors just where the difficulty lay that kept the machine from doing its very best work. He forgot to watch for any danger to himself. The revolving rod caught in his overall's leg. "Brownie" was drawn quickly into the machine. He was cruelly beaten against the ground, and cut with the revolving spikes. He was released only when every vestige of clothing was stripped from his punished body. By sheer nerve strength he ran forward to his engine and shut off the gas. He waved a signal of distress to a man passing along the road in a car. Then he fainted.

They rushed him to the hospital and skillful surgeons and nurses worked over him. Hours passed. Mrs. Brown sat stoically beside his bed. The beaten places about his head and shoulders were deeply colored. The surgeon's knife had cut away the torn places on his body. It was nature's hour to report. Clean living and a vigorous life in the out-of-doors and a nervous system in perfect control reported favorably.

Charles Norman Brown is back on the job busy as ever. Not long ago the house on the Agronomy Farm was destroyed by fire, and some of the trees close by were killed. A new and more comfortable cottage with better protection has replaced the old dwelling. A larger garden plot has

been provided. Red roses and perennial sweet peas clamber over the woven wire fence. Four little "Brownies" play on the lawn or ride with their father in the light truck or on the hay rack drawn by horses as he goes from field to field gathering up sheaves or sacks. They add the touch of interest to clover and small grain plots that make a living patch quilt of lovely design.

Charles Norman Brown has now been promoted to the position of "Superintendent of the Agronomy Farm". The United States Department of Agriculture is coöperating in emergency experiments, such as control of insect invasions, and of new plant diseases, also in the long time experiments such as moisture control, and hybridization of plants. Men more highly trained than the superintendent come and go but "Brownie" stays on the job. The State and the Federal government could ill afford to lose him.

"Blessed is the man who has found his work. Let him ask no other blessing." Charles Norman Brown has found his work but had it not been for the hail storm he might now be struggling to meet his rent instead of being the Superintendent of the Agronomy Farm at the Agriculture Experiment Station.

JOHN J. DALTON—NEW YORK CITY
Agriculture on Three Continents

Young men who have launched out on any of the several seas of agriculture during the past fourteen years have met with many difficulties. Those who have gone into production farming have been caught in the outgoing tides of world markets. Those who have prepared themselves as technical experts in agriculture have waited, often in vain, for the tides of any kind to come in and set their crafts afloat. The export markets are of primary importance to

the American farmers, to those engaged in State and Federal work in relation to agriculture and to the businessmen as well. During the period from 1920 to 1930 some sixty million acres of crop land in the United States were used to supply foreign trade. One out of every six acres of land cultivated in this country during that period depended upon a foreign outlet. Cotton, wheat, tobacco, pork, lard, and a number of other staple products were our chief articles of export. When the foreign markets for these largely disappear, as they have done during the past years, the farmers who grow these products tend to shift to dairy products, poultry, sheep, and corn. This in turn disrupts the domestic market.

John J. Dalton has had exceptional opportunities to observe the international trends of trade in general and of agricultural products in particular. It is rather unusual for a city born and bred youth to become primarily interested in the farm and its problems.

If the sister superior in the Catholic parochial school in New York, where this orphan lad was raised, had asked him to write a story about a cow, he would have gone to the zoo to find the cage of this strange beast. If she had asked him about a horse he would have told something of the animals the mounted police rode or of the horses on the bridle paths on Central Park. And as for a pig, he would have known only the wild boar safely penned in a strong cage.

Yet this city born and raised young man, before the age of thirty, has seen cattle in droves of thousands on the plains of the Argentine and understood something of the world market for beef. He has driven a four-horse team, weighing nearly four tons, hitched to a gang plow, and watched it turn the long furrows of deep black soil in the cornfields of Iowa. He has managed a twenty-five thousand acre hog farm on the collective plan for Soviet Russia.

John Dalton is an expert stenographer and accountant. He holds a Bachelor's degree in Animal Husbandry, and a Master's degree in Agricultural Economics. He understands seven languages and speaks and writes in five of them. Yet, trained as he is, and with experience in agriculture on three continents, his services are not greatly in demand.

This young man is not a "Son of the Soil". His father was not a farmer nor his father's father before him. For the first twenty years of his life John had no notion of what the term "agriculture" really included, nor of the important place it occupied in international trade and relationships.

At fourteen John Dalton secured a job as a helping clerk in a textile exporting and importing company. At the age of sixteen he was sent to act as a helper in the company's offices at Valparaiso, Chile. Later he was sent with a group of men to help open an office in Buenos Aires of the Argentine.

In this South American Republic he had unusual opportunities to observe many phases of business. He advanced steadily in the employ of his company and was later trusted to make important contracts with mature captains of industry in South America. Spanish was the official language and John Dalton learned to speak and write it as readily as his mother tongue. Italian and French were spoken by some of the customers of his company, so he mastered these languages also.

Contact with bankers and merchants of the Argentine gave him many opportunities to visit the hinterland of Buenos Aires. There he saw ranches with cattle, horses, and herdsmen in numbers that were a marvel to one who had grown up in the city. John learned to ride and to love a good horse. He watched the cattle driven by thousands to

the ocean freighters to be shipped to Europe and Asia; and this was only one phase of the great industry, Agriculture. John Dalton began to realize the almost limitless opportunities in the new and rapidly growing republics of South America for a person technically trained for this calling.

He resigned from his position with the textile exporting and importing company, returned to America, and enrolled as a student at the Iowa State College. I met him first on our campus in the summer of 1926. In his studies he was quick to grasp the broad phases of the economic and social relationships; at the same time he took every opportunity to learn about practical farming.

In the summer of 1930, representatives of the Russian government came to America and asked the colleges of the country for technical experts in agriculture. John Dalton was one of the twenty finally chosen. He was engaged to start and manage for two years a "pig factory" on a twenty-five thousand acre farm in the Ukraine near the Black Sea.

Pork was needed as food for the factory workers, for the Red Army, and for the government clerks and officials as well as for the farm laborers themselves. So many tons of pig iron could be turned out each month at the foundries managed by the Soviet Republic; it seemed equally feasible, on paper at least, to produce a given number of tons of live pigs — Hampshires and Poland China.

Plans for farrowing houses were drawn and breeding animals were secured by the hundreds from Germany and Poland. John Dalton and his young wife arrived in the Ukraine only a few days before the first shipments of these "living machines" arrived. It was in the middle of winter. No houses for the proper care of brood sows were in readiness. No warm spring days were at hand such as any experienced hog breeder knows are essential to the health

and growth of little pigs. No green feed could be secured. Disease broke out among the animals for they had come from different localities and had been exposed to various diseases. The city born youth soon realized that a man can not handle pigs like pig iron or speed up or retard at will the production of live pork. Finally something like order was brought out of chaos.

Dalton came away from Russia with a satisfactory record of pork production on this collective farm under the control of the Soviet Republic, but the record was far below the efficiency and high standards of the well managed individual farm of America. The old adage that "the eye of the master fattens the ox" seems to apply to pigs as well. No one on the collective farm felt the sense of ownership of any animal or saw any special reward for doing more than his allotted task.

When this young man who had such a wealth of experience in both South and North America returned from Russia with an added fund of experience and information, he hoped for an opportunity to return to the Argentine, but conditions in that country were in a more chaotic condition than in the United States. It seemed best to return to Iowa for a time and to take up work for an advanced degree, looking forward to a position in some State, national, or international phase of agriculture or in some commercial line dependent upon agriculture. His master's degree was awarded him, and he continued on part time employment assembling and codifying agricultural economics data and studying toward his doctorate. Dalton's studies enabled him to interpret by means of statistics some of the observations he had made in different countries in relation to farm crops and livestock. The effect of the interruption of trade in these products between one nation and another had a far wider effect than even this traveled young man had realized.

The tendency for farmers to shift from one crop to another as foreign markets decrease is well illustrated in his studies of the "Allotment Plan" for corn and hogs. His figures show that when the farmers of Iowa, Illinois, and Nebraska materially reduced their acreage of corn in an attempt to bolster the price by taking out of cultivation the fields once used to supply the export trade, the farmers of Kansas and Oklahoma, finding the wheat crop unprofitable, increased their planting of corn, and the cotton growers of Texas, Georgia, and the Carolinas reduced their cotton acreage but added to their planting area of corn. This reduction of a given crop in one region was offset by an increase of this same crop in other regions. Crop production and livestock production have become interstate and international questions and problems.

Exchange of products, one continent with another, is a necessity. No individual can live to himself alone. Neither can any nation. If the United States should be cut off from other countries for only a few weeks, distress and disruption of trade would follow. There would be no rubber for tires, belts, and other present day necessities, no spices, tea, or coffee. The doctrine "to buy local" to "become self-sufficing" which is advocated in times of war and during the aftermath of war is a short-sighted policy. To be narrowly nationalistic may be far from patriotic. Unwise restrictions of trade result in other countries throwing up trade barriers. Farmers can not establish branch farms in other countries to avoid trade restrictions or import duties as industry establishes foreign branch factories. Experts in agriculture are needed to represent this country in foreign lands and to further the world needs for the products of the soil.

If the vicious doctrine of inevitable conflict between labor and capital, between city and open country, between

nation and nation could be supplanted by one of mutual co-operation and confidence, then underconsumption would tend to disappear and the cry of overproduction would not be heard. Unemployment, underconsumption, and unrest are inseparably intertwined. John Dalton has had opportunity to observe how this works out. The Russian people are great tea drinkers. They obtain this tea, in normal times, from England in exchange for sheet iron, leather, and wheat. England in turn trades printed cotton goods in India for the tea, but obtains the raw cotton from the cotton belt of the United States. The cycle does not end here, for the cotton grower, when prices are favorable, buys large quantities of corn and oats from the Upper Mississippi Valley for his mules and other livestock.

The economic hardships and the social upheavals that follow when the channels of trade are destroyed is world history. The Russian is unhappy when he does not have his tea. The grower of India who can not market his crop of tea is restless and sometimes becomes a menace to world peace. The mills of Britain all but stand idle and the cotton spinners are in an ugly mood. The cotton growers of the United States are discouraged. The farmers of the Upper Mississippi Valley are in a frame of mind to listen to radical leaders who may not be safe to follow.

Other people beside farmers become involved. Agricultural exports are bulky products. Ships and trucks and railways are employed when grain and stock, fruits and vegetables are moving freely. When the movement is hampered and reduced to bare necessities, there follows part time employment, irregular income, labor trouble, class hatred, strife, and bloodshed.

Representatives of the United States who are thoroughly familiar with the fundamental business of agriculture could make the position and the honest desires of this coun-

try known to other nations if they were to sit with the representatives of foreign nations when they gather at their council tables. John Dalton could represent American agriculture in any of several countries but he may never have an opportunity to do so. Misunderstanding and distrust between nations may continue throughout the working days of his life. On May 9, 1934, John Dalton, his wife, and two children started for Vermont with their worldly goods packed in the trailer behind a used car. John had secured a position with the State and Federal government for one year. His contract was renewed for another year in May, 1935. What will be the next move? John smiled, shrugged his shoulders, and said "Quien sabe", which is the Spanish for "who knows".

CHARLES FRANKLIN STEWARD — AMERICA AND THE WORLD

A New Situation

The three periods from 1870 to 1930 belong in the more or less surveyed fields of history. The period from the present moment to any chosen date ahead lies in the vistas of the future and recorded facts must be replaced by postulation and by some philosophy of life. It may be a pessimistic outlook or one of faith and courage and a belief in the ultimate triumph of right over wrong.

Charles Franklin Steward is chosen to represent the generation of the Sons of the Soil for the period from 1930 to 1950. These young men come with better preparation for the business of farming than any other generation has ever had. Better school privileges have been accorded them. The advantages of a mechanical age is theirs. World events and daily market reports come to them. They may even hear the crackle of the fire in the Chicago stockyards and know, as they go about their regular farm work, the extent of the damage and its effect upon livestock markets and

shipments. A new spirit and enjoyment has been put into regular farm work for a boy. The farm boy and girl club work has been one of the most significant educational and economically important movements of the country during the past decade.

In 1924 Charles Franklin Steward began and completed a project in a 4-H Club. He selected and fed two pigs from weaning time to market time. He bedded them, changed their pasture frequently enough to avoid disease, washed and oiled them, and taught them to stand in the most advantageous position for judging. A red ribbon, second premium at the Greene County fair in September of that year, adorns one of the early pages of his interesting record book. Cattle feeding projects, soy bean and alfalfa hay projects, and other projects have followed. A blue ribbon as first premium on a Shorthorn bull was awarded him at the Greene County fair in 1927.

The livestock projects of the 4-H Club particularly appeal to farm boys between the ages of twelve and sixteen, the age when the Boy Scout activities are of greatest interest to town and city boys. A national organization known as "Future Farmers" appeals to young men above sixteen and is associated principally with the high school work of the Smith-Hughes type of vocational education. The degree "Iowa Farmer" or "Pennsylvania Farmer" or "California Farmer" is the highest honor that can be awarded within any given State by this organization. In 1932 Charles Steward was one of fourteen selected to receive this award in Iowa. Letters of congratulations were received from such leaders as the State Superintendent of Public Instruction and the Governor of the State.

This organization of "Future Farmers" has taken an active part in many radio programs and young Steward was invited twice during the fall of 1934 to speak from the Chi-

cago studio on farm questions, over a nation wide hook-up. In November, 1934, he was invited to attend the American Royal Live Stock show at Kansas City, Missouri. There, with sixty-four other farm boys from the States, Alaska, and Hawaii, he was awarded the degree "American Farmer".

Some educators doubt the wisdom of heaping too many honors and too much attention upon youth. Others argue that the demeanor with which such honors are received depends upon the individual regardless of age. In any event such activities give a farm youth an opportunity to come in contact with a most carefully selected group of potential rural leaders. The present national president of the "Future Farmers", a lad not yet twenty-one, gave one of the clearest and most interesting discussions of farm problems of any person called before the Senate Committee on Agriculture in Washington during the winter of 1934.

Charles Franklin Steward completed part of a four-year college course in agriculture, but dropped out during the spring quarter of 1934 in order to help his father on the farm. He is not, however, altogether sure he wants to become a production farmer. He is not sure he wants to continue in college. No one can solve a student's problem for him. The answers to the most important questions of life are not found in the back of the book or in corrected examination papers.

It was September, 1935. A car stopped along the Lincoln Highway to give a stalwart young fellow a ride. The driver and passenger soon found they had much in common.

"Do you live around here?"

"No. I come from that section of the State where we have had two straight crop failures", the young man replied. "Conditions were bad down there a year ago and I took a place in a CCC Camp."

"Are you in Camp now?"

"Not me. I have had enough of that way of living. I have been helping fill silos. I've done more honest work in these last four weeks than I did in four months at camp. And I enjoyed it more too."

"But most of the boys like it at Camp do they not?"

"Well, I wouldn't say most of them. I think the majority of the fellows want to do good work and get a job done instead of seeing how long they can make it last."

"What are you planning to do now?"

"Well, I have a job as soon as corn picking begins and can stay on the same farm during the winter for a little more than my room and board. If this farmer likes me he will give me good wages for nine months beginning March first."

"Do you expect to always live on a farm?"

"Sure! I expect to rent some land as soon as I have a little money, and believe me I want to have a farm of my own some day."

"Then the drouth and depression have not scared you out?"

"Not me. My grandad and my Dad stuck with the farm through all sorts of times. They think farming is a real job. So do I."

The driver pulled up on the shoulder of the pavement to allow the youth to go on his way. They shook hands and the older man said in parting: "You are right, my boy, *farming is a real job.*"

J. C. CUNNINGHAM

IOWA STATE COLLEGE OF AGRICULTURE AND MECHANIC ARTS
AMES IOWA

SOME PUBLICATIONS

A Check List of Manuscripts in the Edward E. Ayer Collection. Compiled by Ruth Lapham Butler. Chicago: The Newberry Library. 1937. This valuable compilation will make the content of the manuscript sources of the Ayer Collection in the Newberry Library readily known to the student of Iowa and Upper Mississippi Valley history. About fifty years ago Mr. Ayer began collecting material on the archaeology and ethnology of the American Indian. This was later expanded to such fields as early American cartography and phases of exploration and colonial and frontier history. The papers of such men as H. L. Dousman, H. H. Sibley, Russell Farnham, and William Clark reveal men who played a leading rôle in the fur trade and on the Indian frontier of the Upper Mississippi.

The West in American History. By Dan Elbert Clark. New York: Thomas Y. Crowell Company. 1937. Pp. xi, 682. Maps. This well-written history of the West begins with the coming of the first European explorers and continues to the close of the frontier era about 1890. The volume is divided into three almost equal parts. Part one is entitled "The West Under Spain, France, and England"; part two deals with "The Frontier of the Middle West", and part three treats of "The Frontier of the Far West". Although written mainly to serve as basic reading in college and university courses the book will prove extremely interesting to the general reader. Iowans will naturally scrutinize the second part which covers the region between the Appalachian Mountains and the western border of the first tier of States west of the Mississippi. Dr. Clark is a native Iowan, and was formerly Associate Editor of the State Historical Society of Iowa.

The Civil War and Reconstruction. By J. G. Randall. Boston: D. C. Heath and Company. 1937. Pp. 959. Plates. This volume is the product of many years of research by a careful student of

history. The story opens with a view of the Old South, an analysis of the slavery problem, and a glimpse of the Yankee world. The next six chapters — Wedges of Separation, A House Divided, Secession of the Lower South, Buchanan's Dilemma, Lincoln and the Appeal to Arms, The Plight of the Upper South — carry the story slowly forward to the outbreak of the titanic struggle. The Civil War itself, with its many ramifications, requires fully twenty chapters or about one-half of the book. Eight chapters carry the story through the so-called "Reconstruction Period" to its final débâcle. Throughout his story the author gives ample evidence of his knowledge of the field under survey. While not neglecting the military and political factors, he has focused more light on the social and economic factors. The book is footnoted, contains an extensive bibliography, an adequate index, and many maps and charts. It is well written and will doubtless be ranked as one of the outstanding single volumes in its field.

The Vermont Historical Society has published *Vermonters*, a list of prominent persons born in Vermont, with a few pertinent facts about them. The compilation is the work of Dorman B. E. Kent.

Volume XXVII of the *Collections of the Illinois State Historical Library* is entitled *Anglo-French Boundary Disputes in the West 1749-1763*. It is edited, with an introduction and notes, by Theodore Calvin Pease.

Indiana Imprints 1804-1849 A Supplement to Mary Alden Walker's "Beginnings of Printing in the State of Indiana," published in 1934, by Douglas C. McMurtrie, has been printed as Number 5 of Volume XI of the *Indiana Historical Society Publications*.

The H. W. Wilson Company has recently published a volume entitled *American Newspapers 1821-1936 A Union List of Files Available in the United States and Canada*. The work was edited by Winifred Gregory, under the auspices of the Bibliographical Society of America.

Insurgent Democrats of Indiana and Illinois in 1854, by Mildred

C. Stoler; *Early Science in the Ohio Valley*, by Arthur Deen; and *The Story of Consumer Co-operation in Indiana*, by Elsie C. Sinclair, are three of the articles in the *Indiana Magazine of History* for March.

The *Indiana History Bulletin* for February includes: *Notes on Early History of Taxation in Indiana*, by William C. Harrison; *Taxation in Indiana During the Last Forty-five Years*, by Philip Zoercher; and *Preliminary Notes on the Siouan Family*, by Paul Weer. The last named article was also reprinted.

Rediscovering Illinois Archaeological Explorations in and Around Fulton County, by Fay-Cooper Cole and Thorne Deuel, has been published by the University of Chicago Press. This is the first of a proposed series dealing with the archaeology of Illinois. The field work was done under the direction of the Department of Anthropology of the University of Chicago.

Peter Lawrence Scanlan is the author of *Prairie du Chien: French. British. American*. The introduction is by Louise Phelps Kellogg. The volume is in two parts — the first dealing with *Prairie du Chien* before 1800; part two with the period since that time. The material on military and Indian affairs is especially interesting to students of Iowa history.

Howard High School, The Outstanding Pioneer Coeducational High School in Missouri, by Dorothy B. Dorsey; *Cadet Chouteau, An Identification*, by John Francis McDermott; *Plank Roads in Missouri*, by North Todd Gentry; and *The Career of James Proctor Knott in Missouri*, by Edwin W. Mills, are the articles in *The Missouri Historical Review* for April. Under *Missouriana* there is a short account of the founding of Liberal, a free thought community, in 1880.

The Reverend Richard Fish Cadle, by Howard Greene, contains the story of a missionary of the Protestant Episcopal Church in the Territories of Michigan and Wisconsin in the early nineteenth century. The scene of most of Reverend Cadle's labors was at Detroit, at Green Bay, and at *Prairie du Chien*. The missionary also con-

ducted services in the mineral region and even crossed the Mississippi to preach at Dubuque in 1838.

Kansas City, Mo., a Famous Freightier Capital, by Walker D. Wyman; a continuation of *Ferries in Kansas*, by George A. Root; *The Emigrant Aid Company in the Kansas Conflict*, by Samuel A. Johnson; *An Old Play on John Brown* (by Mrs. J. C. Swayze); and *Exploring the Solomon River Valley in 1869*, from the Journal of Robert McBratney, edited by Martha B. Caldwell, and *Some Southwest Kansas Pioneers*, an address by E. E. Kelley, are contributions in the February number of *The Kansas Historical Quarterly*.

Glimpses of Pioneer Mid-West Social and Cultural History, by R. Carlyle Buley; *Hermann Eduard Von Holst: Plumed Knight of Historiography*, by Eric Goldman; and *The Swedish-American Press and the Election of 1892*, by O. Fritiof Ander, are the three articles in *The Mississippi Valley Historical Review* for March. The June issue includes the following: *The Cow Country in Transition*, by Edward E. Dale; *The Diary of George Duffield*, by L. G. Vander Velde; *An Analysis of the Secession Controversy in Mississippi, 1854-61*, by P. L. Rainwater; and *Was the Presidential Election of 1900 a Mandate on Imperialism?* by Thomas A. Bailey.

Volume IX of the *Norwegian-American Studies and Records* contains a number of articles, several of which relate to Iowa. The titles are as follows: *Immigration and Puritanism*, by Marcus L. Hansen; *Svein Nilsson, Pioneer Norwegian-American Historian*, by D. G. Ristad; *The Sugar Creek Settlement in Iowa*, by H. F. Swansen; *Pioneer Town Building in the West: An American Letter Written by Frithjof Meidell at Springfield, Illinois, in 1855*, translated by Clarence A. Clausen; *A Typical Norwegian Settlement: Spring Grove, Minnesota*, by Carlton C. Qualey; *Marcus Thrane in America: Some Unpublished Letters from 1880-1884*, translated by Waldemar Westergaard; *The Missouri Flood of 1881*, by Halvor B. Hustvedt, translated by Katherine Hustvedt; and *The Collection and Preservation of Sources*, by Laurence M. Larson.

IOWANA

The March issue of *The Iowa Transit* contains a *History of Mecca Week*, by Raymond A. Boyd.

Old Home Town Tales, dedicated to Keosauqua, has been recently published by the author, Mark M. Baker, now of Chicago.

The April issue of the *Annals of Iowa* contains two articles, both by David C. Mott — *Pioneer Lawmakers Association* and *Benjamin F. Gue*.

The first installment of *Historical Sketches Regarding the College of Medicine*, by John T. McClintock, appears in *The Bulletin of the Linn County Medical Society* for May.

Historic Sketch of Medicine in Dubuque County Where Iowa State History First Began, by Henry G. Langworthy, is an historical article in *The Journal of the Iowa State Medical Society* for March and April.

The March number of the *Bulletin of the Grand Lodge of Iowa, A. F. & A. M.*, contains a biography of Buren Robinson Sherman, by Earl B. Delzell. This is one of the series of *Iowa Governors Who Were Masons*.

The City of Dubuque and the Dubuque Chamber of Commerce have sponsored the publication of *A Guide to Dubuque*, compiled and written by the Federal Writers' Project of the Works Progress Administration of Iowa. The pamphlet includes some excellent illustrations in black and white and several valuable maps, prepared by Robert J. Sharp.

The Pacific Historical Review for June contains a document of interest to students of Iowa history. It is the *History of the Sacramento Mining Company of 1849*, written by Jacob Y. Stover, and describes the trip of a group of men from Iowa City to California in the summer of 1849. Among the gold seekers was Chauncey Swan who had been one of the commissioners to select the site of Iowa City.

The Ninetieth Anniversary of the State University of Iowa, re-

cently published by the State University, includes an account of the program celebrating the ninetieth anniversary of the University. In the afternoon of February 24, 1937, three addresses were delivered at the Conference on Higher Education: *Institutions of Higher Education: Government and Objectives*, by President Eugene A. Gilmore; *Problems of Higher Education*, by President Lotus D. Coffman of Minnesota; and *The Selective Principle in Education in a Democracy*, by President James B. Conant of Harvard. The volume also includes the following addresses, delivered at the dinner in the evening: *The Old Stone Capitol Remembers*, by Benj. F. Shambaugh; and *The Iowa State Board of Education*, by President Eugene A. Gilmore; *Democracy and Education*, by James B. Weaver, presenting the portrait of William R. Boyd, by Sidney E. Dickinson; and *George T. Baker*, by Walter A. Jessup, presenting Mr. Baker's portrait, also painted by Mr. Dickinson.

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Maytag's success, by Harvey Ingham, in the *Des Moines Register*, December 19, 1936.

Fred O. Thompson has collection of plant fossils, in the *Des Moines Register*, December 20, 1936.

Elkader is only town in United States so named, in the *Cedar Rapids Gazette*, December 20, 1936.

How Maquoketa was named, by Bessie Boyle, in the *Cedar Rapids Gazette*, December 27, 1936.

Sketch of the life of Frank (Kokomo) Jones, oldest A. E. F. enlisted man, in the *Cedar Rapids Gazette* and the *Waterloo Courier*, December 27, 1936.

The Glaspell family came to Davenport in 1835, by Marie Meyer, in the *Davenport Democrat*, December 27, 1936.

Iowa was admitted to the Union ninety years ago, in the *Des Moines Register*, the *Davenport Democrat*, the *Vinton Times*, and the *Newton News*, December 28, and the *Perry Chief* and *Dubuque Telegraph-Herald*, December 29, 1936.

The cost of Iowa government, by C. C. Clifton, in the *Des Moines Register*, December 28, 1936.

Monument to the Latter Day Saints (Mormons) at Mt. Pisgah, in the *Creston News-Advertiser*, December 29, 1936.

Admiral W. D. Leahy is native Iowan, in the *Sioux City Journal*, January 3, 1937.

Truman Davis came to Greene County in 1849, in the *Jefferson Bee*, January 5, 1937.

Trees and the pioneers, by Mrs. Harriet Bonebright Carmichael, in the *Webster City Freeman-Journal*, January 5, 6, 8, 1937.

Iowa in 1846, in the *West Union Union*, January 7, 1937.

Story of Farmer Burns, in the *Davenport Democrat*, January 10, 1937.

Sketch of the life of R. H. Harned, in the *Davenport Democrat*, January 11, 12, 1937.

Sketch of the life of B. F. Tillinghast, former editor of the *Davenport Democrat*, in the *Davenport Times*, January 12, and the *Davenport Democrat*, January 12, 13, 24, 1937.

The Columbia Museum has drawings of early Dubuque, in the *Dubuque Tribune*, January 13, 1937.

Sketch of the life of Judge Joseph J. Clark, in the *Mason City Globe-Gazette*, January 15, and the *Des Moines Register* and *Charles City Press*, January 16, 1937.

Early papers of north Iowa, in the *Mason City Globe-Gazette*, January 15, 16, 25, 28, 29, February 3, 4, 1937.

Eagle Point in 1900, in the *Dubuque Telegraph-Herald*, January 17, 1937.

J. M. Toms is ninety years old, by Grace C. Koppenhaver, in the *Cedar Rapids Gazette*, January 17, 1937.

When Boone County lost the capital, in the *Webster City Freeman-Journal*, January 19, 1937.

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Early days in Mt. Pleasant, in the *Mt. Pleasant News*, January 19, 1937.

Judge F. O. Ellison has served thirty years on Linn County district court bench, in the *Tipton Advertiser*, January 21, 1937.

Judges of the Twelfth Iowa Judicial District, in the *Forest City Summit*, January 21, 1937.

Curious namings of Des Moines River, by Harvey Ingham, in the *Des Moines Register*, January 23, 1937.

Reminiscences of B. F. Tillinghast, by J. E. Calkins, in the *Davenport Democrat*, January 24, 1937.

Sketch of the life of Mrs. Alex Miller, in the *Washington Journal*, January 25, 1937.

Proposed removal of monument marking site of old Fort Madison, by Mrs. Dale Bullard, in the *Burlington Hawk-Eye Gazette*, January 25, 1937.

Quakers of Iowa, by Harvey Ingham, in the *Des Moines Register*, January 25, 26, 27, 28, 30, 1937.

The George N. Sherburne family, in the *Spirit Lake Beacon*, January 28, 1937.

Sketch of the life of Captain Joseph M. Hawthorne, oldest licensed river pilot, in the *Davenport Democrat*, January 29, 1937.

Founding of William Penn College, by Harvey Ingham, in the *Des Moines Register*, January 30, 1937.

The powder cave of old Fort Crawford, in the *Dubuque Telegraph-Herald*, January 31, 1937.

Mrs. Hattie Hough came to Iowa in 1866, by Mrs. P. M. Lawrence, in the *Sioux City Tribune*, February 2, 1937.

Sketch of the life of David Patterson, in the *What Cheer Patriot*, February 3, 1937.

The county seat contest in Howard County, in the *Cresco Plain Dealer*, February 4, 11, 1937.

Did the James brothers participate in Corydon bank robbery, in the *Corydon Times-Republican*, February 4, 1937.

Early pioneer history of Dickinson County, in the *Spirit Lake Beacon*, February 4, 1937.

First log cabin in Fort Des Moines, in the *Des Moines Plain Talk*, February 4, 1937.

New chapter in the story of Black Hawk, by W. N. Kueneman, in the *Des Moines Register*, February 7, 1937.

Sketch of the life of John A. Woods, Rock Branch pioneer, in the *Sioux City Tribune*, February 8, 1937.

The prehistoric past of Pella, by Ray E. Colton, in the *Pella Press*. February 10, 1937.

Sketch of the life of Frank D. Jackson, in the *Des Moines Register*, February 12, 20, 1937.

The press of Cerro Gordo County, by Charles H. Gelo, in the *Mason City Globe-Gazette*, February 13, 1937.

C. B. Campbell of Knoxville assembles bones of pre-historic lizard, in the *Des Moines Register*, February 14, 1937.

Sketch of the life of John L. Blanchard, in the *Council Bluffs Nonpareil*, February 16, 1937.

First capitol building in Des Moines, in the *Des Moines Plain Talk*, February 18, 1937.

Tools and pioneer handicraft in the museum at Decorah, by G. W. Ess, in the *New Hampton Tribune-Gazette*, February 18, 1937.

Sketch of the life of Mrs. Hetty Shiras, widow of former Judge O. P. Shiras, in the *Dubuque Telegraph-Herald*, February 18, 1937.

The story of bonds issued by Sioux County, from a letter by Henry Hospers, in the *Alton Democrat*, February 18, 1937.

Former Governor Frank D. Jackson is 83 years old, by Harvey Ingham, in the *Des Moines Register*, February 20, 1937.

The Scotch pioneered in Tama County, in the *Guthrie Center Guthrian*, February 23, and the *Postville Herald*, February 25, 1937.

Sketch of the life of Otto F. Lange, in the *Dubuque Telegraph-Herald*, February 23, 1937.

Statesmen who have made Iowa famous, by A. B. Funk, in the *Spirit Lake Beacon*, February 25, 1937.

Fort Des Moines in 1843, in the *Knoxville Express*, February 25, 1937.

Sketch of the life of William O. Coast, in the *Des Moines Register*, February 28, 1937.

Sketch of the life of W. C. Marsh, by Harriet Gordon, in the *Sioux City Journal*, February 28, and the *Cherokee Times*, March 31, 1937.

Sketch of the life of U. G. Whitney, in the *Waterloo Courier*, February 28, and the *Sioux City Journal*, March 14, 1937.

The flood of 1851 in the Missouri River, in the *Tabor Beacon*, March 3, 1937.

Early days in Davis City, by Idavec Crouse, in the *Leon Journal Reporter*, March 4, 1937.

The Swiss Colony in Fayette County, in the *West Union Union*, March 4, 1937.

Maquoketa is only town so named, by Lester Petersen, in the *Sabula Gazette*, March 4, 1937.

Des Moines River had many names, in the *Waverly Journal*, March 4, 1937.

How Manchester was named, in the *Cedar Rapids Gazette*, March 7, 1937.

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- Sketch of the life of W. T. Hornaday, in the *Knoxville Express*, March 11, 1937.
- The "Claims Club" at Boone Forks settlement, by C. L. Lucas, in the *Madrid Register-News*, March 11, 1937.
- Harlan and Shelby County, by Don Hollenbeck, in the *Harlan Tribune*, March 11, 1937.
- Sketch of the life of James W. Willett, in the *Marshalltown Times-Republican*, March 11, 1937.
- The story of the Spirit Lake Massacre, in the *Sioux City Journal*, March 14, and the *Spencer Reporter*, March 17, 1937.
- When Theodore Vail taught a country school, by Ellis E. Wilson, in the *Waterloo Courier*, March 15, 1937.
- The old lime kiln near Bonaparte, in the *Fort Madison Democrat*, March 18, 1937.
- Facts about Tama County and Iowa, by Mrs. J. D. Thomas, in the *Toledo Chronicle*, March 18, 1937.
- The start of Iowa City, in the *Knoxville Express*, March 18, 1937.
- Sketch of the life of John Springer, in the *Davenport Democrat*, March 23, 1937.
- Pre-historic Indian occupancy along the Big and Little Cedar rivers, by Otho R. Laird, in the *Nashua Reporter*, March 24, and the *New Hampton Tribune*, April 1, 1937.
- Early township in Polk County, in the *Des Moines Plain Talk*, March 25, 1937.
- Sketch of the life of W. F. Oehmke, in the *Lyon County (Rock Rapids) Reporter*, March 25, 1937.
- Some early history of Toolesboro (Black Hawk), by Mrs. Hettie M. Crow, in the *Wapello Republican*, March 25, 1937.
- Sketch of the life of F. L. Maytag, in the *Newton News*, March 26, 30, and the *Newton Record*, April 1, 1937.

When H. G. Wheeler sold his Iowa "ranch" to W. P. Adams, in the *Council Bluffs Nonpareil*, March 28, and the *Boone News-Republican*, March 30, 1937.

Mrs. Robert T. Lincoln, daughter of James Harlan, is dead, in the *Clinton Herald*, March 31, and the *Cedar Rapids Gazette*, April 1, 1937.

The cigar store Indian at Denison, in the *Denison Review*, April 1, 1937.

When a meteor fell near Marengo, in the *Blairstown Press*, April 2, 1937.

History of the Union Mills Christian Church, by Hugh C. Guy, in the *Oskaloosa Herald*, April 3, 1937.

Charles Philip Hexom studies Winnebago Indians, by E. C. Bailey, in the *Cedar Rapids Gazette*, April 4, 1937.

Sketch of the life of Mrs. O. P. Shiras, in the *Dubuque Telegraph-Herald* and the *Dubuque Tribune*, April 6, 1937.

Early days in Douglas Township, Madison County, by Frank Peed and S. A. Hays, in the *Winterset News*, April 8, 1937.

The early settlement of Iowa County, in the *Williamsburg Journal-Tribune*, April 8, 1937.

Pioneer days in Scott Township, Madison County, by Mrs. C. A. Robbins, in the *Winterset News*, April 8, 1937.

Edgar R. Harlan's thirty years as Curator of the Historical Department, in the *Des Moines Register*, April 9, 1937.

Sketch of the life of Atherton B. Clark, in the *Cedar Rapids Gazette*, April 13, 1937.

Early pioneer priests in Iowa, in the *Monona Leader*, April 15, 1937.

A short history of Wright County, by H. C. Simerson, in the *Belmond Independent*, April 15, 1937.

Scotch Grove early history, by Mrs. D. O. Sinclair, in the *Monticello Express*, April 15, 1937.

Stagecoach days in Leon, by Idavec Crouse, in the *Leon Journal Reporter*, April 22, 1937.

A century ago in Muscatine, in the *Muscatine Journal*, April 23, 1937.

The Grindstone War, by Remley J. Glass, in the *Mason City Globe-Gazette*, April 24, 1937.

New London 100 years ago, in the *Mt. Pleasant News*, April 26, 1937.

First judicial records of Fremont County found at Sidney, in the *Shenandoah Gazette*, April 27, and the *Tabor Beacon*, May 5, 1937.

Sketch of the life of Robert T. St. John, in the *Riceville Recorder*, April 28, 1937.

Burlington was incorporated 100 years ago, by Tracy Garrett, in the *Burlington Hawkeye-Gazette*, April 29, 1937.

Genealogical records of Marion County, in the *Knoxville Journal*, April 29, 1937.

Ed S. Merritt was first white child born in Fort Dodge, by Harvey Ingham, in the *Des Moines Register*, April 30, 1937.

Who were the first settlers in Woodbury County, by Gertrude Henderson, in the *Sioux City Journal*, May 4, 1937.

Legend of John Ester and Ester's Point, by C. C. Barnett, in the *Elkader Register*, May 5, 1937.

Early records of Mahaska County, in the *Oskaloosa Herald*, May 5, 1937.

Sketch of the life of John Campbell, by Harvey Ingham, in the *Des Moines Register*, May 5, 1937.

Development of government, by William G. Kerr, in the *Grundy Center Register*, May 13, 1937.

Early days in Crawford County, in the *Denison Bulletin*, May 13, 1937.

HISTORICAL ACTIVITIES

The Nebraska State Historical Society has sponsored the *Lincoln City Guide*, compiled and written by the Federal Writers' Project of the Works Progress Administration.

The Indiana Historical Society held its annual business meeting at Indianapolis on December 11, 1936. Eli Lilly was reelected president, John G. Rauch treasurer, and Christopher B. Coleman secretary.

The American Association of Museums held its annual meeting on April 20, 1937, at Columbus. Secretary Harlow Lindley of Indiana was chosen acting director during a two months leave of absence granted to Dr. H. C. Shetrone.

The eightieth annual meeting of the Chicago Historical Society was held at the Society's building on January 27, 1937. Charles B. Pike was reelected president and Cecil Barnes was again chosen secretary.

On February 11, 1937, a dinner was held at Athens, Illinois, commemorating a dinner held there a century ago to celebrate the removal of the capital from Vandalia to Springfield. An unusual feature of this dinner was the fact that it was held in the building in which the dinner was served in 1837.

The Missouri Historical Society held a meeting at St. Louis on February 26, 1937. J. Manuel Espinosa gave an address on "Manuel Lisa". In honor of the members of the Mississippi Valley Historical Association, the Missouri Historical Society and Washington University gave a dinner on April 29th at which Edward Everett Dale spoke on "The Cow Country in Transition".

A Midwest Historical Conference was held at Chicago on February 26 and 27, 1937. The program centered around discussions of editorial practice, micro-photography, and historical projects

conducted by the Works Progress Administration. The hosts of the conference were Herbert A. Kellar of the McCormick Historical Association, Russell Anderson of the Rosenwald Museum of Science and Industry, and Douglas C. McMurtrie.

Six States — Ohio, Indiana, Michigan, Illinois, Wisconsin, and Minnesota are coöperating in celebrating the creation and establishment of the Northwest Territory, beginning with the centennial of the enactment of the Ordinance of 1787 at New York City on July 13, 1837. A "pioneer" party will travel from Ipswich, Massachusetts, to Marietta, Ohio, during the winter of 1937-1938, presenting a pageant depicting the trip of New England settlers to Ohio. During the summer and fall of 1938, the party will tour the States carved in whole or in part from the Northwest Territory.

The Mississippi Valley Historical Association held its thirtieth annual meeting at Saint Louis on April 29, 30, and May 1, 1937. Among the papers by Iowans or former Iowans were the following: "The New York Tribune", by Ralph R. Fahrney; "The Odyssey of an Unbuilt Railroad", by E. Douglas Branch; "The Birth of the Petroleum Business", by Paul H. Giddens; "Humor of the Backwoods, 1820-1840", by Philip D. Jordan; "Was the West a Safety Valve for Labor", by Joseph Schafer; "The Creation of the National Domain, 1781-1784", by Merrill Jensen; "The Celebration of the Sesquicentennial of the Old Northwest", by E. M. Howes; "Immigration and the Westward Movement in Ballad and Song", by Theodore C. Blegen; "The Early Theatre in the Northwest", by Harold E. Briggs, and other addresses and papers of general interest. Clarence E. Carter was elected president of the Association. The next annual meeting will be held at Indianapolis, Indiana, and the mid-winter meeting will be at Philadelphia.

IOWA

A scrapbook containing a history of the city of Ames, prepared by A. B. Maxwell, city clerk, has been placed in the Ames Public Library.

The Czech Fine Arts Society of Cedar Rapids has been formed

to compile a history of the Czechs in Iowa as part of the Iowa centennial program. Joseph Mekota is chairman and Mrs. Hugo Sindelar secretary.

Miss Lynn Anderson of Fort Dodge has presented to the Webster County Historical Society, for preservation in the museum, the diary of her father, James Anderson, who walked from Scott County, Iowa, to California in 1859.

The annual meeting of the board of directors of the Midwest Antiquarian Association was held at Dubuque on May 11, 1937. Dr. J. J. Brownson was reëlected president and Rev. W. G. Kessler secretary-treasurer. The Association sponsors the Columbia College Museum at Dubuque and plans are being made for a new building.

The annual meeting of the Jasper County Historical Society was held at Newton on March 10, 1937. Charles B. Starrett was elected president, W. S. Johnson secretary, and Mrs. R. B. Hendershot treasurer. Mr. Johnson told of the eclipse of August 7, 1869, and Mrs. V. H. Morgan gave an outline of Jasper County's first fifty years.

The Iowa Society of the Daughters of the American Revolution dedicated a bronze tablet on April 21, 1937, marking the site of Tim Fanning's tavern at the beginning of the Old Military Road. Mrs. Sarah Paine Hoffman made the presentation address and the marker was accepted by Mayor J. K. Chalmers. Other markers have been provided for the Old Military Road.

The Marshall County Historical Society held its annual meeting at Marshalltown on April 13, 1937. M. A. Hauser was chosen president, Frank G. Pierce vice president, Susie Sowers secretary, Ida Evans treasurer, and Mrs. E. M. Singleton curator. The Society is planning to use a boulder to mark the site of Fort Robinson, used by pioneers as a protection against Indians. The Society's log cabin in Riverview Park at Marshalltown is to be dedicated in June.

On Sunday afternoon, June 20, 1937, the Pottawattamie County

Historical Society dedicated its log cabin museum in Lincoln Park at Council Bluffs. Dr. William J. Petersen, Research Associate of the State Historical Society of Iowa, delivered the dedicatory address, speaking on "The Pioneer Cabin in Iowa". Officers of the society are Henry K. Peterson, president; Loren Clark, secretary-treasurer; and O. J. Pruitt, curator.

The series of Iowa history lessons entitled "Exploring the History of Iowa", prepared for a syndicate of Iowa newspapers by John Ely Briggs, has presented one additional lesson — Horses — under the general unit Agriculture. The fifth unit was Industries. It included Woodworking, Farm Machinery, Washing Machines, Pearl Buttons, Clay Products, and Cement and Gypsum. The last unit to be presented in this series is Geology. It includes: The Oldest Rocks, Battles of Sea and Land, The Age of Dinosaurs, and The Story of the Glaciers.

The Madison County Historical Society held its annual meeting at Winterset on March 30, 1937. C. C. Stiles told of the history and work of the Historical Department at Des Moines; Stephen A. Hays read a paper on early Madison County life; Hallie Rhodes told of the Mesquakie Indians; and Mrs. Caleb Robbins described early days in Scott Township. Dr. H. A. Mueller of St. Charles was reëlected president and Mrs. Grace Blake was again chosen secretary. The Society announces that its historical room in the courthouse at Winterset will be open Saturday afternoons and on special occasions. Walter H. Vance is curator of the museum.

An unofficial committee of eight members met with Governor Nelson G. Kraschel at Des Moines on February 22, 1937, to discuss the observance of Iowa's centennials, particularly the anniversary of the establishment of the Territory of Iowa in 1838. The members were W. Earl Hall of Mason City, J. R. Rhodes of Newton, Frank Miles of Des Moines, Mrs. Ralph Henderson of Sioux City, Floyd Kippel of Iowa Falls, Francis Johnson of Terrill. This group requested the Governor to appoint a committee of representative citizens to make plans for the various celebrations. Later a concurrent resolution was adopted by the General Assembly which read as follows:

Whereas, Iowa has now arrived at that point in its history where it is entering the era of centennial anniversaries; and

Whereas, The year 1938 will mark the one hundreth anniversary of Iowa's establishment as a separate territory; and

Whereas, By a well formulated program Iowa will:

1. Attain nationwide publicity for the benefit of Iowa.
2. Impress our citizens and prospective citizens with the growth and progress of Iowa, making Iowa people more Iowa conscious, thus selling Iowa to Iowans, and
3. Cause Iowa people to travel over the state to see what Iowa has to offer, giving towns and cities the opportunity to build celebrations to attract visitors and to promote business, and

Whereas, The foregoing program may be achieved

1. By developing an historical celebration in every community in the state, marking historical spots in all sections of the state and by devoting books, maps, and other publications of the state in 1938 to historical information.
2. By developing a special course of study on Iowa history for the schools of Iowa and by inviting newspapers of the state to join in a statewide program by giving special emphasis to historical subjects relating to Iowa's first one hundred years.
3. By appealing to groups of various nationalities in the state to portray their particular role in the development of Iowa.
4. By adopting the slogan, "See Iowa this year".
5. By listing Iowa's contributions to science, invention, literature, music, art, industry, exploration, education, and statesmanship, and by showing Iowa's important part in the growth of our nation.
6. By emphasizing the importance of the products grown, mined and manufactured in Iowa, and by requesting state, county and regional fairs to build their 1938 programs around the centennial theme, and
7. By staging pageants and plays, historical essay contests, family reunions and religious observances featuring Iowa history.

Be It Therefore Resolved by the Senate, the House Concurring:

1. That the Forty-seventh General Assembly authorize the Governor to appoint a statewide, non-salaried committee of at least twenty-five persons to be known as the Iowa Centennial Committee, which shall be charged with planning and promoting of statewide, regional and local observances in 1938 of the one hundreth anniversary of the Iowa territory;
2. That state and local organizations and institutions (such as local historical societies, old settlers associations, Daughters of the American Revolution, American Legion, women's clubs, Parent-Teacher Associations, chambers of commerce, county fair associations, schools and colleges, lodges and service clubs and others) be requested to cooperate with the Iowa Centennial Committee;
3. That the State Historical Society of Iowa and other state agencies be requested to cooperate with the Iowa Centennial Committee and with all state and local organizations and institutions contemplating the celebration of centennial anniversaries.

The members appointed by Governor Kraschel to the Iowa Territorial Centennial Committee are listed as follows: J. R. Bahne, Eldora (Chairman); Max R. Hueschen, Holstein; W. R. Orchard, Council Bluffs; Willard Archie, Shenandoah; J. R. Rhodes, Newton; W. C. Jarnagan, Storm Lake; John Huston, Ottumwa; Victor Felter, Indianola; E. J. Van Nostrand, Newton; C. W. (Dutch) Schmidt; Benj. F. Shambaugh, Iowa City; B. J. Palmer, Davenport; Royal Holbrook, Ames; Harry Shaw, Cedar Falls; Harvey Ingham, Des Moines; Hugh Harrison, Davenport; J. S. Russell, Des Moines; Hans Welkin, Rock Rapids; Edgar Hoeven, Badger; W. A. Murray, Bancroft; Earl E. May, Shenandoah; W. C. Eastland, Clinton.

THE STATE HISTORICAL SOCIETY OF IOWA

Dr. William J. Petersen, Research Associate of the State Historical Society, delivered the address at the dedication of the log cabin museum in Lincoln Park, Council Bluffs, on June 20, 1937. His subject was "The Pioneer Cabin in History".

The State Historical Society of Iowa has recently published a volume entitled *Steamboating On the Upper Mississippi The Water Way to Iowa*, by William J. Petersen, Research Associate on the staff. The book, with forty-eight chapters and five hundred and seventy-six pages, is the story of the romantic and virile period of transportation — the steamboat era. In its pages are the stories of Robert Fulton and Henry Miller Shreve, of Joseph Throckmorton and Daniel Smith Harris, of settlers and soldiers on the river, of captains and cargoes, excursions and expeditions, lead and furs, Indians and immigrants, races and tragedies, dangers and heroism. The narrative covers the Mississippi River from St. Louis to St. Paul and tells the story of steamboating down to the close of the Civil War. Although not limited to Iowa, this steamboat history presents one of the most important and essential aspects of life in Iowa during this period.

The following persons have recently been elected to membership in the Society: Mr. W. S. Gilman, Sioux City, Iowa; Mrs. E. L. Johnson, Waterloo, Iowa; Mr. Angus A. McLaughlin, Des Moines,

Iowa ; Miss Stella Millslagle, Coon Rapids, Iowa ; Mr. Geo. B. Sherman, Cedar Rapids, Iowa ; Mr. Paul R. Strain, Cedar Rapids, Iowa ; Dr. D. O. Bovenmyer, Ottumwa, Iowa ; Mr. F. E. Brewer, Marshalltown, Iowa ; Dr. Ben G. Budge, Ames, Iowa ; Mr. R. O. Byerum, Davenport, Iowa ; Mr. A. E. Chandler, Waverly, Iowa ; Dr. Charles C. Collester, Spencer, Iowa ; Mrs. Eugene Cutler, Des Moines, Iowa ; Mr. Thomas J. Dailey, Burlington, Iowa ; Mr. T. E. Diamond, Sheldon, Iowa ; Rev. Luke Donlon, Monona, Iowa ; Mrs. Irene Eggleston, Vinton, Iowa ; Mr. Elmer Ellis, Columbia, Missouri ; Mr. T. L. Evans, Beaman, Iowa ; Mr. C. Y. Hancock, Clinton, Iowa ; Mr. M. A. Hanson, Plymouth, Iowa ; Dr. M. C. Hennessy, Council Bluffs, Iowa ; Mr. George E. Hise, Des Moines, Iowa ; Mrs. John Newton Hughes, Des Moines, Iowa ; Mr. Hepburn Ingham, Waukee, Iowa ; Mr. Wm. H. Ingham, Des Moines, Iowa ; Mr. Irving C. Johnson, Oskaloosa, Iowa ; Mr. J. K. Kloehr, Ottumwa, Iowa ; Mr. H. P. Knuth, Holstein, Iowa ; Mr. F. B. Kruse, Vinton, Iowa ; Mr. C. R. McCutchen, Washington, Iowa ; Mr. D. O. Milligan, Des Moines, Iowa ; Dr. Edward M. Myers, Boone, Iowa ; Rev. W. C. Nassen, Allison, Iowa ; Mr. Harry K. Newburn, Iowa City, Iowa ; Mr. R. H. Norton, Grinnell, Iowa ; Mr. John A. Okell, Fort Madison, Iowa ; Mr. Geo. W. Prichard, Onawa, Iowa ; Mr. E. A. Ralston, Washington, Iowa ; Mr. Jesse C. Richter, Council Bluffs, Iowa ; Mr. Carl C. Riepe, Burlington, Iowa ; Mrs. Caleb A. Robbins, Winterset, Iowa ; Mr. L. J. Schuster, Clinton, Iowa ; Mr. Forrest W. Seymour, Des Moines, Iowa ; Dr. Ray V. Smith, Iowa City, Iowa ; Mr. Douglas G. Swale, Mason City, Iowa ; Mr. Wallace Taylor, Iowa City, Iowa ; Mrs. Seth Thomas, Fort Dodge, Iowa ; Mr. C. S. Thompson, Mason City, Iowa ; Mr. George W. Turner, Monona, Iowa ; Mr. Harry G. Wallace, Des Moines, Iowa ; Mr. Bayard C. Way, Mason City, Iowa ; Mrs. Elenore Lee White, Iowa City, Iowa ; Dr. Paul A. White, Davenport, Iowa ; Mr. G. E. Whitehead, Perry, Iowa ; Dr. E. B. Wilcox, Oskaloosa, Iowa ; Mr. J. H. Wilson, Davenport, Iowa ; and Mr. F. G. Young, Cedar Rapids, Iowa.

NOTES AND COMMENT

Pella held its annual tulip festival on May 10-15, 1937. The event is in memory of the founders of Pella who came from Holland in 1847.

F. L. Van Voorhis has a collection of some thirteen hundred Indian relics found in the vicinity of Sutherland. These were displayed in the Lage Pharmacy at Sutherland during the week of February 15-20, 1937. These relics were obtained largely from the Indian mounds.

The annual Grinnell Institute of International Relations was held at Grinnell College on June 16-25, 1937. The speakers listed were Dr. T. Z. Koo of China, Piere de Lanux of France, Dr. Hagu F. Simon of Germany, Dr. Leyton Richards of England, and William T. Stone and Samuel Guy Inman of the United States.

The Central Section of the American Anthropological Association met at Iowa City on April 16 and 17, 1937. Addresses by Dr. Neil M. Judd, Dr. A. E. Douglass, Professor W. S. Webb, and George I. Quimby were features of the program. Dr. Charles R. Keyes of Mount Vernon, State Archaeologist of Iowa, was in charge of arrangements.

CONTRIBUTORS

RUTH AUGUSTA GALLAHER, Associate Editor of the State Historical Society of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, for January, 1916, p. 156, and July, 1935, p. 304.)

J. C. CUNNINGHAM, Ames, Iowa. Born at Cedar Point, Kansas, on August 12, 1879. Received the degree of Bachelor of Science from the Kansas State College in 1905. Foreman of the Crete Nurseries, Crete, Nebraska, 1905-1907. Superintendent Elenora Farms, Centralia, Kansas, 1907-1909. Assistant in Horticulture, Kansas State College, 1909-1911. Member of the Agricultural and General Faculties, Iowa State College, 1911-date. Represented Agriculture on President Harding's commission in the organization of the U. S. Veterans' Bureau, 1919-1920. Directed the work in Agriculture for disabled ex-service men at the Iowa State College, 1917-1926. Graduate work at University of Chicago, 1926. Teacher of general agriculture for rural and grade teachers, summer sessions. Member of the Alpha Zeta, honorary agricultural fraternity, of the Iowa State Horticultural Society, and of the International Horticultural Congress. For the past three years has been engaged in reviewing and indexing the world's literature on the subject of corn. Has written numerous magazine articles on this crop and is the senior author of the text *Soils and Plant Life*. He is interested in agriculture in general and corn in particular. Young people are, however, his chief concern. In 1935 he was awarded the Silver Beaver medal and certificate for distinguished work with boys by the National Council of Boy Scouts of America.

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THE IOWA JOURNAL OF HISTORY AND POLITICS
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THE LEGISLATION OF THE FORTY-SEVENTH GENERAL ASSEMBLY OF IOWA

The Constitution of Iowa provides that the General Assembly shall convene biennially, commencing on the second Monday in January following each general election, unless otherwise convened by proclamation of the Governor.¹ In pursuance of this provision the Forty-seventh General Assembly convened at the State Capitol in Des Moines on Monday, January 11, 1937. It remained in session until April 27th, a period of one hundred and eight days. Clocks were stopped, however, on April 20th and all subsequent legislation was enacted as of that date. During the legislative period there were fifteen Sundays and sixteen other days — including ten Saturdays — when the General Assembly did not convene. Accordingly the houses were actually in session only seventy-seven days.

The Forty-seventh General Assembly was typical of Iowa Assemblies in that it was composed largely of farmers and attorneys. The House of Representatives consists of one hundred and eight members. In the Forty-seventh General Assembly, forty-three Representatives were farmers and sixteen were attorneys. The Senate consists of fifty members. Of these Senators nineteen were farmers and thirteen were attorneys. The Iowa General Assembly was predominantly Republican for many years following the Civil War. In recent years, however, the Democratic party had controlled both houses. In the House of Representatives of the Forty-seventh General Assembly there were fifty-four Democrats and fifty-four Republicans. The Speaker, however, was elected by the Democrats. In the

¹ *Constitution of Iowa*, Article III, Section 2.

Senate there were twenty-two Democrats and twenty-eight Republicans at the opening of the session. This was changed slightly by a vacancy caused by the death of Senator T. F. Driscoll, a Democrat, who was succeeded by Senator Stanley Hart, a Republican.

During the legislative session, 536 bills and 6 joint resolutions were introduced in the Senate, and 552 bills and 16 joint resolutions in the House — a total of 1088 bills and 22 joint resolutions. Of this number 171 Senate bills and 3 Senate joint resolutions, and 107 House bills and 2 House joint resolutions — a total of 283 measures — passed both houses and became operative. Seventy-seven of these measures were appropriation bills to provide funds for the administration of State government and for the adjustment of claims against the State. Forty-two of the measures were legalizing acts, passed to clarify matters of procedure in corporate bodies and to make adjustments in local government. Several measures were passed solely for the purpose of making corrections in the Code and session laws previously enacted or for the enactment of special laws. Three measures passed by the General Assembly were vetoed by Governor Nelson G. Kraschel.²

TAXATION AND FINANCE

For the protection of homeowners and to encourage the purchase of homes in Iowa, the Forty-seventh General Assembly passed the "Homestead Tax Exemption Act". This measure, consisting of twenty-four sections, went into effect by publication on March 25, 1937, and operates to relieve the tax burden on homesteads up to an assessed valuation of \$2500.

Section 6943-f63 of the *Code of 1935* provides that three

² *Index and History of Senate and House Bills and Joint Resolutions of the Forty-seventh General Assembly; Legislative Directory of Forty-seventh General Assembly.*

per cent of the funds from the income, corporation, and sales taxes shall be used for administrative purposes. The Forty-seventh General Assembly amended this section to provide \$2,000,000 annually for emergency poor relief and \$5,504,000 annually for old age pensions. The balance of this fund shall be held by the Treasurer of the State "and shall be designated as the homestead credit fund and shall be distributed by the treasurer of state on warrants drawn by the comptroller" upon the direction of the State Board of Assessment and Review in accordance with the provisions of the Homestead Exemption Act.

It is estimated that approximately \$18,000,000 will be available for distribution under this law and that the distribution will be substantially as follows:

Administrative expenses	\$ 500,000
Emergency poor relief	2,000,000
Old age pension	5,500,000
Homestead tax credit	10,000,000

It is further estimated that the valuation of Iowa homesteads, excluding any valuation in excess of \$2500, is about four hundred million dollars. Accordingly, if ten million dollars is available for distribution there will be a tax refund on such homesteads amounting to about 25 mills.³

In accordance with a recent amendment to the law any aggrieved taxpayer may petition the local board of review for a revaluation of his property, but no reduction or increase is to be made for prior years. Appeals may be taken to the district court of the county in which the board holds its sessions within twenty days of its adjournment.

Public hearings are to be held by the State Board for the purpose of examining witnesses and accounts relative to taxation. No bank or loan company is, however, required to divulge information concerning the property of an individual, gained as part of a business transaction.

³ *Acts of the Forty-seventh General Assembly*, Ch. 195.

It is no longer necessary for the Board of Assessment and Review to give a ten-day notice of its intention to increase the valuation of a piece of property. The State Board may order any county board of equalization to raise or lower the value of property within its jurisdiction.

The former law in regard to the correction of errors, irregularities, or omissions in the assessment of property by the State Board and the procedure of appealing its decisions was repealed.

Applications and appeals pending before the Board of Assessment and Review when the act was passed are not to be affected by the law.⁴

The two per cent retail sales tax, which was originally passed as a temporary measure by the Extra Session of the Forty-fifth General Assembly in 1934 and amended and continued by the Forty-sixth General Assembly in 1935, was reenacted by the Forty-seventh General Assembly and the temporary provisions were removed.

This law imposes a tax "upon the gross receipts from all sales of tangible personal property, consisting of goods, wares, or merchandise", except as otherwise provided, "sold at retail in the state to consumers or users". This applies to the furnishing or selling of gas, electricity, water, and community service, also to the sale of tickets or admissions to places of amusement and athletic events, except as otherwise provided.

For the administration of this law the retailer is required, on or before the twentieth of the month following the close of each quarterly period to make a return to the Board of Assessment and Review showing the gross receipts, the amount of the tax, and such other data as may be required.

The law as reenacted is substantially like the former law,

⁴ *Acts of the Forty-seventh General Assembly, Ch. 188.*

except in respect to those sections which deal with the allocation of funds. The new law provides that all revenues arising from it shall be placed in a special tax fund and shall be apportioned as provided in Section 6943-f63 of the Code as amended and in the Homestead Tax Exemption Act passed by the Forty-seventh General Assembly. In these acts allocations are made to emergency poor relief, old age pensions, and homestead tax credits.⁵

Section 2 of Chapter 196 of the *Acts of the Forty-seventh General Assembly* — the Sales Tax Act — contained the provision that the owner of every new motor vehicle or new trailer purchased within sixty days previous to an application for original registration in this State should furnish to the county treasurer a sworn statement from the firm, person, or corporation from which such vehicle was purchased, stating that the Iowa State sales tax has been paid. In the absence of such sworn statement the county treasurer was directed to refuse registration until a sum equal to the sales tax were paid.

After the measure was passed, this section of the law was repealed by a separate legislative enactment. The substance of this provision was, however, enacted in Section 6 of the "Use Tax Act" described below.⁶

The collection of the Iowa sales tax became difficult in 1935 and 1936 particularly in border areas of the State where many purchasers crossed State lines to purchase goods tax free. This was especially noticeable in northern Iowa where numerous and widespread purchases were made in southern Minnesota. To prevent this type of tax evasion and to require all Iowa purchasers to assume equal tax burdens, the Forty-seventh General Assembly passed a "Use Tax Act".

⁵ *Acts of the Forty-seventh General Assembly*, Ch. 196.

⁶ *Acts of the Forty-seventh General Assembly*, Chs. 197, 198.

This law provides for an excise tax of 2 per cent on the use of tangible personal property in this State — such tax being payable directly to the county treasurer, to a retailer, or to the State Board of Assessment and Review.

This law does not apply to purchases made in Iowa which are subject to the usual 2 per cent sales tax. It does not apply to property in interstate transportation or interstate commerce, nor to personal property upon which the State imposes and collects a special tax, whether in the form of a license tax, stamp tax, or otherwise. Neither does it apply to property brought into the State by non-residents for their use, nor to property used in the operation of street railways not readily obtainable in Iowa.

This tax as it applies to new motor vehicles shall be paid by the owner thereof to the county treasurer from whom the original certificate of registration is obtained. No original certificate of registration shall be issued until this tax is paid.

Every retailer maintaining a place of business in this State and making sales of goods not exempted by this law shall collect the tax imposed and make returns and payment of such tax to the Board of Assessment and Review. In order to make effective a tax on goods purchased out of the State, the law provides that any person who uses any property upon which a tax is imposed shall be liable therefor, and shall on or before the 20th of the month next succeeding each quarterly period pay such tax and make returns to the Board of Assessment and Review. Failure to comply with this provision of the law subjects the purchaser to an additional 5 per cent tax and to 1 per cent interest for each month of delay after the first month.

Any retailer who fails to make reports as required by law shall be subject to a fine of \$100 or imprisonment for 30 days, and any person who files a false report may be sub-

jected to a fine of from \$500 to \$5000 and imprisonment not exceeding one year.⁷

Several sections of the *Code of 1935* were amended by the Forty-seventh General Assembly to assess a tax on non-residents for income derived from sources within the State of Iowa, and to provide for the collection and administration of such tax.

Section 6943-f5 of the *Code of 1935* provides for an income tax based upon a graduated income scale, to be assessed against residents of Iowa. This section as amended provides that beginning on the first day of January, 1937, a similar tax shall be assessed "upon that part of the income of any nonresident which is derived from any property, trust, or other source within this state, including any business, trade, profession or occupation carried on within this state".

Section 6943-f8 which deals with gross income was amended to make it clear that the amended law applies to only such gross income "as is derived from any property, trust or other source within this state." In a similar manner other Code sections were amended to make them conform with the purpose and intent of the legislature.⁸

Another amendment to the income tax law by the Forty-seventh General Assembly increased the amount of personal exemptions and set up the following schedule:

For a single individual, ten dollars.

For husband and wife or head of a family, twenty dollars.

For each child under the age of twenty-one years who is actually supported by and dependent upon the taxpayer, and for each additional dependent, five dollars.

⁷ *Acts of the Forty-seventh General Assembly*, Ch. 198; *The Des Moines Register*, April 3, June 20, 1937.

⁸ *Acts of the Forty-seventh General Assembly*, Ch. 184.

Under the former law these exemptions were six dollars, twelve dollars, and two dollars respectively.

This law also increased the minimum individual income that must be reported. Formerly a single person receiving a salary of six hundred dollars was required to file an income report. The minimum salary that must be reported under the new law is one thousand dollars. The minimum salary to be reported by the head of a family was increased from eleven hundred to fifteen hundred dollars.⁹

The board of supervisors of each county shall annually levy a tax of not to exceed one and one-half mills on the dollar for "ordinary county revenue". To meet temporary emergencies the Forty-seventh General Assembly passed a measure which provides that in all counties where one and one-half mills will not produce revenue sufficient to equal the budget requirements to be paid from the general county fund, such counties for the years 1937 and 1938 are authorized "to levy for ordinary county revenue a tax not in excess of three (3) mills" or as much thereof as may be required to meet the budget requirements.

Before such levy in excess of one and one-half mills is made, a complete itemized statement of expenditures contemplated by the county shall be submitted to the State Comptroller for his approval. No such levy in excess of one and one-half mills shall be made unless approved by the Comptroller, "and unless the total tax levy for all county purposes will not exceed the average tax levy for all county purposes for the preceding two years."¹⁰

The Iowa tax sale law provides that when property is placed on tax sale and there is no bidder, or when the bid is for a sum less than the taxes plus the interest and penalties due, the county may bid the amount due it and thereby pro-

⁹ *Acts of the Forty-seventh General Assembly*, Ch. 185.

¹⁰ *Acts of the Forty-seventh General Assembly*, Ch. 189.

tect its own financial interests. A recent amendment to this law provides that if, prior to the passage of this law, real estate had been thus bid in by the county and not assigned by it, all delinquent taxes, including subsequent taxes added to the tax sale record, might be combined into one item for all taxes and costs and the property might be redeemed for such amount "exclusive of penalties and interest".

To facilitate payment, the owner may, within six months of the effective date of this law (April 22, 1937) make a written agreement to pay current taxes and all delinquent taxes, and thereby secure an extension of time for making payment. The law provides that upon such agreement, signed and filed with the county auditor and upon the payment of one-tenth of the amount due and an agreement to pay the balance in nine equal annual installments with 6 per cent interest the county shall suspend further proceedings as long as there is no further default. Moreover, upon the payment of the full amounts required to be paid under such agreement, the county auditor shall issue the certificate of redemption as provided by law.

If the owner fails to enter into a contract within the time prescribed, or if he fails to meet the installments stipulated in the contract, the county, after giving due notice, may sell the certificate of sale for not less than the full amount of the purchase price of such certificate.¹¹

The law relative to tax deeds was amended by the Forty-seventh General Assembly to provide that restrictions running with the title to real estate, limiting the use of property, or the type, character, or location of buildings, shall not be affected by the issuance of a tax deed. Section 7286 of the *Code of 1935* provides that when a tax deed is signed by the county treasurer and acknowledged and recorded in accordance with the law it "shall vest in the purchaser all

¹¹ *Acts of the Forty-seventh General Assembly*, Ch. 191.

the right, title, interest, and estate of the former owner in and to the land conveyed". In accordance with a recent amendment such conveyance shall, however, be "subject to all restrictive covenants, resulting from prior conveyances in the chain of title to the former owner".¹²

Section 7330 of the *Code of 1935* provides that in each county the court shall appoint annually three competent residents and freeholders of the county to act as appraisers of all property within their jurisdiction which is charged or sought to be charged with an inheritance tax. A recent amendment to this law provides that each appraiser shall be entitled to compensation for his services at the rate of \$5 per day and shall be allowed mileage at the rate of 5 cents per mile for the distance traveled in going to and returning from the place of appraisal. The costs of such appraisal shall be charged to the estate of the decedent, to be paid out of the property appraised, or by the owner of it.¹³

One act of the Forty-seventh General Assembly provided that the first installment of all taxes payable in 1937 was not to be listed as delinquent until July 1, 1937. Payment before this date might be made without interest as a penalty. Any penalty which was paid before this act became operative was to be applied as a payment on the second installment. If the first installment was not paid by July 1, 1937, it was to draw interest as a penalty from April 1, 1937, at the rate of three-fourths of one per cent per month until paid.¹⁴

Section 370 of the *Code of 1935* provides that the amount of income for the several funds other than taxation shall be estimated before any municipality levies a tax upon prop-

¹² *Acts of the Forty-seventh General Assembly*, Ch. 192.

¹³ *Acts of the Forty-seventh General Assembly*, Ch. 193.

¹⁴ *Acts of the Forty-seventh General Assembly*, Ch. 199.

erty. The Forty-seventh General Assembly enacted an amendment to this section stipulating the manner of computing this estimate. It also established the method of computing the amount to be raised by taxation in cities over 75,000 population. Section 5663 of the Code dealing with the authority of city officials was also changed to agree with this act.

Violation of this act is to be grounds for removal of any councilman who votes for expenditures contrary to the provisions of this section, and shall be punishable as a misdemeanor.¹⁵

An "annual" tax of two dollars on each citizen twenty-one years of age and upwards residing within the State was provided by Section 5296-f34 of the *Code of 1935* — this tax money to be used for the payment of old age assistance. The Forty-seventh General Assembly amended this law to provide that this tax should extend only until December 31, 1936, and authorized a refund of any such tax levied for the year 1937 and paid between January 1, 1937, and the effective date of this law on April 8, 1937.

In lieu of this head tax, money for the old age assistance fund was provided by allocations made from the income, corporation, and sales taxes as amended by the Forty-seventh General Assembly.¹⁶

In accordance with a recent amendment to the law relative to taxation and tax suspension, whenever a person has been issued a certificate of old age assistance and is receiving monthly or quarterly payments of assistance from the old age assistance fund, "such person shall be deemed to be unable to contribute to the public revenue". This law also provides that the Old Age Assistance Commission shall notify the board of supervisors of the county in which the

¹⁵ *Acts of the Forty-seventh General Assembly*, Ch. 92.

¹⁶ *Acts of the Forty-seventh General Assembly*, Chs. 139, 195 (Section 1).

property owned by the assisted person is located of the granting of such aid. The board of supervisors shall, in turn, without the filing of a petition, order the county treasurer to suspend collection of all taxes assessed against the property of such person for such time as he may remain the recipient of aid from the old age assistance fund.¹⁷

Seven sections of the *Code of 1935* were repealed and seven sections were amended by the Forty-seventh General Assembly to alter and clarify the law relative to public deposits. The law as amended provides that no bank or trust company shall directly or indirectly, pay any interest to any public officer on any deposit of public funds, and no officer shall take or receive any such interest.

In place of interest, depositories shall pay for the benefit of the State sinking fund such assessments as may be fixed by the Treasurer of State, with the approval of the Executive Council. Such assessments shall not be more than two per cent and not less than one-half of one per cent per annum, computed on ninety per cent of the collected daily balances.

On or before the tenth of each month each depository shall compute, upon the basis of the assessment rate so fixed, and shall pay to the county treasurer the amount of the assessment for the benefit of the State sinking fund.¹⁸

The annual road poll tax of three dollars was repealed by the Forty-seventh General Assembly. Previously it had been levied upon every male person between the ages of twenty-one and forty-five who resided in the county outside the corporate limits of cities and towns. All provisions in the *Code of 1935* relating to the method of collecting and mode of paying the road poll tax were repealed.¹⁹

¹⁷ *Acts of the Forty-seventh General Assembly*, Ch. 186.

¹⁸ *Acts of the Forty-seventh General Assembly*, Ch. 194.

¹⁹ *Acts of the Forty-seventh General Assembly*, Ch. 129.

APPROPRIATIONS BY THE FORTY-SEVENTH GENERAL ASSEMBLY			
FOR MAINTENANCE OF STATE GOVERNMENT AND STATE OFFICERS FOR EACH YEAR OF THE BIENNIUM			
CHAPTER	FOR WHAT	1935-1937	1937-1939
1	Department of Agriculture		
	Agricultural Department	\$121,215	\$121,215
	Animal Health and Veterinary	137,500	137,500
	Beef Producers' Association	5,000	5,000
	Corn and Small Grain Growers' Association	2,500	2,500
	Iowa State Dairy Association	5,000	5,000
	For 4-H Calf Clubs	2,000	
	Horticultural Society	5,000	6,300
	Poultry Association	17,500	19,500
	Board of Veterinary Examiners	400	400
	Horse Breeders' Association	5,000	5,000
	Weather and Crop Bureau	7,634	7,000
	Swine Breeders' Association		5,000
	State Entomologist	7,400	7,400
	Total	\$316,149	\$321,815
33	Secretary of Agriculture For the elimination of grasshoppers, chinch bugs, and similar pests		25,000 (lump sum)
1	Agricultural Societies	120,000	126,000
1	Board of Assessment and Review To administer chain store tax	64,543 25,000 (lump sum)	55,000
1	Attorney General and Department of Justice	93,500	110,000
5	For law enforcement (From liquor control act fund)		26,000
1	Attorney General Litigation concerning primary roads (From primary road fund)	15,000	15,000
14	Radio broadcasting station	20,000 (lump sum)	3,500 (lump sum)
1	Auditor of State County and Municipal Examiners	90,000 \$7 per diem	88,000 \$7 per diem

CHAPTER	FOR WHAT	1935-1937	1937-1939
1	Board of Barbers Examiners	15,520	16,520
1	Commission for the Blind	10,750	10,000
1	Board of Chiropractic Examiners	1,680	2,000
1	State Comptroller		
	Salaries and expenses	40,365	47,000
	Refunding warrants (From tax on motor vehicle fuel)	2,500	
	Additional help (From tax on motor vehicle fuel)		2,500
	Board of Conservation	110,000	
1 100	Conservation Commission		165,000
	Purification of lakes		125,000 ²⁰ (lump sum)
22	Civilian Conservation Corps and Works Progress Administration		250,000
1	Board of Cosmetology Examiners	12,540	14,340
1	Custodian	75,810	75,810
1	Board of Dental Examiners	2,400	2,400
1 73	District Court Judges	372,500	372,500
	Additional appropriation	10,000 (lump sum)	5,500 (lump sum)
1	Board of Embalmers Examiners	970	1,200
1	Board of Engineering Examiners	900	900
1	Executive Council	250,235	260,235
1 7	State Fair Board	60,000	60,000
	Public works project	26,250	
	Poultry industries building (From Capitol improvement and repair fund)		35,000 ²¹
1 48	State Fire Marshal	17,000	17,000
	Emergency and additional service		1,000
1	General Contingent Fund	80,000	250,000
1	Geological Survey	10,000	11,500
1	Governor (salary and expenses)	20,406	20,406

²⁰ Contingent on gift by Federal government.

²¹ Contingent on Federal grant of \$55,000.

CHAPTER	FOR WHAT	1935-1937	1937-1939
1 75	Grand Army of the Republic For National Encampment	750	750 12,000
1	Health Department	76,880	75,580
	State Highway Commission ²²		
134	Highway Safety Patrol (Motor Vehicle Department, Office of Secretary of State)	Amount necessary	Amount necessary
1	Historical Department	29,300	30,000
1	Historical Society	28,000	33,000
1	Industrial Commission To pay claims of highway employees (From primary road fund) To pay claims of employees of Liquor Control Commission (From liquor control act fund)	25,900 15,000	30,090 15,000 10,000
1	Insurance Department Insurance Department Examiners	44,125 per diem	47,500 per diem
1	Bureau of Labor Public employment office ²³	18,240 60,450	18,250
1	Library Commission	19,500	19,500
1	State Library	41,916	41,916
1	Board of Medical Examiners	1,000	1,000
1	Board of Mine Examiners	1,500	1,500
1	Mine Inspectors	16,500	20,000
1	National Guard Additional armory rentals Camp Dodge fire loss (lump sum)	212,650 4,160 (lump sum) 25,000 (lump sum)	233,659.25
11	Reimbursements		6,265.44
19	Water supply system at Camp Dodge		8,800
	Board of Nurses Examiners ²⁴	5,400	

²² The State Highway Commission and its work are financed from the proceeds of the tax on motor vehicles and motor vehicle fuel. For the distribution of this money see the *Code of 1935*, Sec. 4999.

²³ See Unemployment Compensation Commission for the 1937-1939 appropriation for employment service.

²⁴ This Board of Nurses Examiners, reorganized in 1935, is apparently financed by fees.

CHAPTER	FOR WHAT	1935-1937	1937-1939
1 195	Old Age Assistance Commission Pension fund Revolving fund	1,000,000 25,000 (lump sum)	Funds from Sales Tax
1	Board of Optometry Examiners	750	500
1	Board of Osteopathic Examiners	1,560	1,600
1	Board of Parole	27,910	35,480
1	Board of Pharmacy Examiners	14,400	14,400
1	Pioneer Lawmakers	75	75
1	Board of Podiatry Examiners	395	400
	Presidential Electors	150	
1 38	State Printing Board Salaries State printing Emergency appropriation	14,620 129,150	15,000 136,000 30,000 (lump sum)
1	Superintendent of Public Instruction Salaries and expenses State aid	39,434 401,450	40,000 401,450
1	Board of Railroad Commissioners	60,600	58,000
1	Secretary of State	48,700	46,700
31	State Department of Social Welfare For salaries and maintenance \$40,000 For the needy blind 110,000 For child welfare 5,000 (From Board of Control funds)		155,000
1	Soldiers' Bonus Board		3,750
1	Supreme Court	83,400	83,800
1	Clerk of Supreme Court	9,090	9,219
1	Reporter of Supreme Court and Code Editor	11,676	11,500
1	Treasurer of State	81,500	85,000

THE FORTY-SEVENTH GENERAL ASSEMBLY 363

CHAPTER	FOR WHAT	1935-1937	1937-1939
55	Unemployment Compensation Commission		77,500
1	Commission on Uniform Laws		400
1	Board of Vocational Education	35,040	55,000
FOR THE BOARD OF CONTROL AND INSTITUTIONS UNDER IT FOR EACH YEAR OF THE BIENNIUM			
CHAPTER	FOR WHAT	1935-1937	1937-1939
1	Board of Control	\$72,466	\$73,236
1	State Hospital and Colony for Epileptics at Woodward	250,522	260,000
7	Public works project	61,250	
	Repairs and equipment		28,750
1	Institution for Feeble-Minded at Glenwood	327,484	310,000
7	Repairs and equipment		4,000
1	State Hospital for Insane at Cherokee	348,461	315,000
7	Public works project	26,250	
	Repairs and equipment		64,750
1	State Hospital for Insane at Clarinda	293,317	290,000
7	Public works project	99,750	
	Repairs and equipment		14,700
1	State Hospital for Insane at Independence	329,878	315,000
7	Repairs and equipment		18,000
1	State Hospital for Insane at Mt. Pleasant	319,140	312,000
7	New building		215,000
7	Repairs and equipment		36,000
1	State Juvenile Home at Toledo	119,069	119,568
7	Repairs and equipment		1,000
1	State Penitentiary at Fort Madison	469,151	412,500
7	Public works project	4,375	
	Repairs and equipment		68,000
1	Men's Reformatory at Anamosa	375,451	335,000
7	Repairs and equipment		25,000
1	Women's Reformatory at Rockwell City	56,610	48,000

CHAPTER	FOR WHAT	1935-1937	1937-1939
1	State Sanitarium at Oakdale	219,494	246,885
7	Public works project	43,750	
	Repairs and equipment		18,000
1	Iowa Soldiers' Home at Marshalltown	205,595	192,371
1	Iowa Soldiers' Orphans' Home at Dav- enport	188,060	190,000
1	Training School for Boys at Eldora	177,585	181,797
7	Repairs and equipment		9,000
1	Training School for Girls at Mitchell- ville	76,961	76,960
	Public works project	7,000	
	Emergency Fund	14,000	
	Additional Emergency Fund	100,000	
1	Road Fund	10,000	10,000
	Total for Board of Control	4,195,619	4,190,517
FOR BOARD OF EDUCATION AND INSTITUTIONS UNDER IT FOR EACH YEAR OF THE BIENNium			
CHAPTER	FOR WHAT	1935-1937	1937-1939
1	Board of Education	\$54,712	\$54,000
1	State University of Iowa	1,950,000	2,092,500
	President	10,000	10,000
	Public works project	60,000	
7	Buildings and equipment		62,500
1	Medical and Surgical Treatment of In- dignents at University Hospital	940,994	965,000
1	Iowa State College of Agriculture	1,931,000	2,031,000
	President	9,000	9,000
	Public works project	60,000	
7	Buildings and equipment		110,000
1	Iowa State Teachers College	563,000	616,500
	President	7,000	7,000
	Public works project	30,000	
	Deficiency appropriation	60,000	
7	Building and equipment	(lump sum)	50,000

THE FORTY-SEVENTH GENERAL ASSEMBLY 365

CHAPTER	FOR WHAT	1935-1937	1937-1939
1	Iowa State School for the Deaf	207,000	217,000
7	Public works project	15,750	
	Buildings and equipment		8,000
1	Iowa School for the Blind	105,000	112,000
7	Public works project	21,000	
	Buildings and equipment		27,500
1	Psychopathic Hospital	100,000	104,000
	Bacteriological Laboratory	12,226	
1	State Bacteriological Laboratory and State Hygienic Laboratory		40,000
1	Soldiers' tuition	4,000	2,000
88	World War orphans' aid	2,500	\$150 per child annually
	Aid for blind students	1,000 (lump sum)	
	Total for Board of Education	6,113,682	6,518,000
MISCELLANEOUS EXPENSES CONNECTED WITH THE LEGISLATIVE SESSION			
CHAPTER	TO WHOM AND FOR WHAT	AMOUNT	
4	Election Contests		
	Peaco vs. Judd and Bulow	\$1,277.68	
	Campbell vs. Woods	216.10	
	McLean vs. Latchaw	212.82	
	Hadley vs. Peisen	235.33	
	Oehmke vs. Dykhhouse	758.28	
	Aldrich vs. Blue	568.25	
	Peel vs. O'Neill	260.53	
	Harnagel vs. Brown	167.20	
	Peyton vs. Moore	1,259.09	
	Total		\$4,955.28
5	Miscellaneous Expenses of General Assembly		
	L. C. Smith Typewriter Company		737.75
	Underwood Elliott Fisher Company		330.00
	Royal Typewriter Company		60.00
	Remington-Rand Typewriter Company		92.88
	Des Moines Rubber Stamp Works		144.10

CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
	A. C. Gustafson, supplies	156.85
	Walter H. Beam, supplies	67.00
	Zaisers, rentals	51.75
	Gaar Brothers Typewriter Company	67.50
	Western Union Telegraph Company	5.50
	Glenn Curtis, telegrams	1.80
	Mary L. Huntley, services	per diem
	Executive Council	
	Postage, etc.	2,500.00
	To repair voting machines	2,500.00
	Koch Brothers, supplies	5.77
	Otilla Waldschmitt, extra service	100.00
	Annetta Hjelmeland, extra service	100.00
	Elaine Lawrence, extra service	50.00
	Marecella Killmar, extra service	100.00
	Grace Brinkmeyer, extra service	100.00
	Dorothy Jane Rennert, extra service	50.00
	A. E. Augustine, expenses for car	14.75
	J. J. Gillespie, expenses	36.00
	Tangney-McGinn Hotels Company	20.20
	State Historical Department, photographs	200.00
	Mrs. Henry Lewis, service	39.60
	J. E. Snedden, service	12.00
	Charles Royer, service	202.50
	American Laundry	87.01
	Officers after adjournment	Amount necessary
MISCELLANEOUS APPROPRIATIONS FOR PUBLIC PURPOSES		
CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
2	Guards and turnkeys at State Penitentiary, refund of salary cuts	\$36,506.78
3	Guards and turnkeys at Men's Reformatory	32,669.28
47	Inaugural expenses	424.41
59	Jones County, expense of coroner's inquest at Mens' Reformatory	31.15
77	Ames, assessment on State property	4,427.21
20	Repair Iowa Monument in National Cemetery at Andersonville, Georgia	500.00

THE FORTY-SEVENTH GENERAL ASSEMBLY 367

CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
23	Des Moines, repayment of pavement costs	2,661.25
16	Iowa City, State's share of sewage disposal plant	110,561.26
26	Iowa City, assessment on State property	1,918.27
28	Muscatine County, drainage of State lands	2,583.13
28	Louisa County, drainage of State lands	1,548.42
54	Mills County, drainage of State lands	1,173.20
34	Robert Collatt, services during fire at Hospital at Mt. Pleasant	50.00
	Roy Shitley, services during fire at Hospital at Mt. Pleasant	50.00
	Claude C. Taft, services during fire at Hospital at Mt. Pleasant	50.00
43	Tama Independent School District, tuition for children of Federal employee	747.19
36	To pay State employees entitled to awards under workman's compensation law	7,000.00
60	Maurice Flanagan, labor at State House	55.00
64	James E. Risden, services rendered for Attorney General	797.50

APPROPRIATIONS FROM PRIMARY ROAD FUND FOR CLAIMS CONNECTED WITH
HIGHWAY CONSTRUCTION AND MAINTENANCE

CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
17	D. I. Goehring, collision with State truck	\$14.39
	Mrs. Kendall Burch, collision with State truck	25.18
	Willard Poland, collision with State truck	27.32
	Wallace A. Carr, flood damage due to broken tile on highway	80.00
10	John Marth, fence damaged by snow plow	5.00
	George W. Smith, flood damage along highway	100.00
	Mrs. S. L. Lieby, cutting trees along highway	15.00
	W. A. Gay, damage done by snow fence	8.00
	C. H. Otte, damage to water pipes along highway	70.42
	Mrs. Tillie Deater, damage to drainage tile along highway	229.82
	H. R. Staats, damage to auto during construction of highway	11.87

CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
	Henry E. Meis, damage to building by blasting along highway	15.00
18	Dr. E. F. Rambo, medical aid to D. Myron Tripp injured on highway	5.00
	Dr. W. B. Lewis, medical aid to D. Myron Tripp	20.00
	Dr. Ben G. Budge, medical aid to D. Myron Tripp	25.00
8	Pointer Brewing Co., collision with State truck	62.88
	A. B. Hamilton, collision with State truck	50.00
	H. F. Voights, collision with State tractor	69.95
	A. A. Thompson, collision with State truck	35.00
	Paul Delaplane, collision with State truck	5.00
	E. C. Sodergren, collision with State truck	25.00
	H. R. Pratt, collision with State truck	51.96
	Russell Jensen, collision with snow plow	20.90
	Wayne Fisher, collision with road maintainer	11.38
	Steven Saxby, collision with State car	40.00
	F. I. Easton, collision with State truck	30.65
	Continental Baking Co., collision with State truck	150.00
21	George W. Cox, damage to house caused by snow plow	7.18
	Max E. King, damage to house caused by snow plow	8.49
32	C. O. Melvin, death of son in highway construction truck (From general fund)	1,052.65
9	Elizabeth Maasdam, collision with State car	80.00
	Younkin Automotive Service, collision with State truck	27.95
	Otis Rector, collision with State truck	80.20
	Joe Menges, collision with State truck	12.50
	F. W. McKinley, collision with State truck	19.00
	P. E. Graham, collision with State truck	51.71
	Ronald O. Cole, collision with State truck	46.55
	H. E. Pilon, collision with State truck	4.75
	Emmet L. Morris, damage to car on highway	60.50
72	Drs. Ivan T. Schultz and Nelle T. Schultz Medical services to Saxby family, injured on highway	15.25
12	Harry R. Denton, loss of hog due to snow fence	30.00
	Vince Tellin, collision with State truck	7.00
	O. L. Smith, damage to horse by snow fence	40.00
	M. R. Terhune, collision with State truck	6.00
	W. W. Stranahan, collision with road maintainer	21.68

CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
6	C. H. White, death of L. E. White due to dynamite used by Highway Commission employees	1,600.00
	George O. Van Allen, White's attorney	100.00
	F. S. Finley, White's attorney	100.00
	Middle States Utilities Co., collision with State truck	200.00
	Callender Telephone Co., damage to cable along highway	28.95
	Gretus Asmus, collision with State truck	103.25
	Geraldine Satre, collision with State truck	74.00
	Palmer Plumbing Co., collision with State car	67.37
	John F. Shea, collision with State truck	18.43
	Bituminous Paving Mat. Corporation, collision with State car	15.41
	D. M. Vandelinde, collision with State truck	144.71
	Mathieson Insurance Agency, collision with truck	16.01
27	Vera D. Tripp, expenses incident to the death of D. Myron Tripp, attorney for Highway Commission	29.00
	Will Wickett, collision with State truck	88.77
24	Earl, Leonard, and Mrs. Bonnie Frisk, damages for car falling through bridge	498.75
	Joe H. Smith, for car breaking through bridge	44.35
58	Harry R. Frankle, damages to car from collision "with a State highway patrolman" (From funds of Motor Vehicle Department)	48.70
30	John Terpstra, collision with State car	21.00
	Walter L. Wickett, collision with State truck	18.00
	Lyle E. Davis, colt killed at highway culvert	25.00
57	J. C. Hull and Son, property damage in road construction	500.00
15	E. R. Wald, injury to Mrs. Wald by operation of snow plow	100.00
	Dr. B. L. Basinger medical services for Mrs. Wald	23.50
	F. D. Cox, collision with State truck	5.67
	D. H. Anderson, collision with State truck	53.65
45	Hazel A. Todd, collision with State truck	112.20
63	Key City Refrigerator Line, collision with State truck	116.00
	Total claims paid due to highway work	\$6,928.85

TO PAY MISCELLANEOUS CLAIMS		
CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
1	Frederick M. Hull (Biennial appropriations since 1894) Each year \$360	\$720.00
1	Marjorie Ball, injury on State fair grounds (Biennial appropriation since 1927) Each year \$200	400.00
35	Ira Dalton, injury at Men's Reformatory (From support fund of Men's Reformatory)	550.00
39	R. A. Quinn, injury as State employee in collision with stalled truck	1,200.00
50	Bezer Lodge No. 135, damages caused by log (From funds appropriated for Conservation Commission)	5,600.00
51	Ed Beeman, injury at State prison (From funds appropriated for State Penitentiary)	150.00
56	Emery Brownfield, injury at Men's Reformatory (From funds appropriated for Reformatory)	500.00
71	Richard Nelson, injury at Men's Reformatory (From funds appropriated for Reformatory)	500.00
46	Luella Sherling, injury by stray bullet of policeman	2,500.00
29	Ella Talbott, death of husband, injured while engaged in Iowa and Polk County Relief administration	2,400.00
52	Iver Hopperstad, death of son in State Hospital for Epileptics	1,000.00
37	George Clancy, collision with State truck (From funds appropriated to Conservation Commission)	84.00
41	William M. Schneider, collision with truck driven by State employee	154.62
42	Howell-Schrader Drug Company, collision with State truck (From funds appropriated for State Board of Assessment and Review)	12.85
70	Willie Claussen, collision with car driven by State employee	500.00

CHAPTER	TO WHOM AND FOR WHAT	AMOUNT
49	Emmet F. Ivory, car damaged by cavalry horse	101.50
44	J. W. Houchin, refund of gasoline tax	30.00
65	Citizens Savings Bank, Avoca, refund of interest	547.30
76	Avoca State Bank, refund of interest	803.21
68	Mat Gallagher, refund on car license	2.50
74	Midwest Finance Corporation, refund of truck license	30.00
67	H. W. Haskell, injury in National Guard	131.00
61	W. L. Murphy, injury in National Guard	800.00
69	Raymond L. Barr, injury in National Guard	1,000.00
66	Mrs. Emily A. Nicoll, death of husband in National Guard	200.00
62	Cleon A. Ferger, contraction of asthma in National Guard	500.00
13	Fred Skilling, killing of infected mule	125.00
	William Durant, killing of infected horse	100.00
	Mrs. William Meyers, killing of infected horse	75.00
	John Kirsch, killing of two infected horses	100.00
	H. M. Colwell, killing of infected horse	75.00
	William C. Hawley, killing of infected horse	80.00
	Joe Yetmar, killing of infected horse	200.00
	Chris Olsen, killing of infected horse	75.00
	C. E. Baxter, investigating disease in pigs	11.60
53	O. F. Shadle, loss of mules and wagon while employed by Conservation Commission	400.00
40	Anna Dirksen Eygabroad, illegal confinement at Women's Reformatory	135.00
25	John W. Abel, money earned as inmate at Hospital for Insane at Mt. Pleasant	1,278.00

STATE GOVERNMENT AND ADMINISTRATION

Section 389 of the *Code of 1935* provides that "the comptroller shall exercise general supervision over the certifying boards and levying boards of all municipalities with respect to budgets". The Forty-seventh General Assembly

created a State Appeal Board to take over the State Comptroller's functions in regard to the local budgets.

The State Appeal Board is to consist of the Comptroller, the Auditor of State, and the Treasurer of State. From time to time this Board may appoint qualified deputies to act for it. An annual meeting of the Board is to be held on the second Tuesday of January. Section 377 of the Code provides that the local certifying or taxing board shall, before a budget is finally adopted, hold a public meeting at which any taxpayer may object to the proposed budget. The new law provides that protests may be made to the county auditor by a specified number of persons affected by a proposed budget and such protests shall be transmitted to the State Board. If the procedure established by law has been followed, and preliminary objections properly made, the Appeal Board shall set a date for an initial hearing of the protest. When a deputy is appointed to hear the protest, he shall submit a full report to the State Board.

"It shall be the duty of the State Board to review and finally pass upon all proposed budget expenditures, tax levies and tax assessments from which appeal is taken and it shall have power and authority to approve, disapprove or reduce all such proposed budgets, expenditures and tax levies so submitted to it upon appeal, as herein provided; but in no event may it increase such budget, expenditure, tax levies or assessments or any item contained therein." Furthermore, the Board shall have authority to make all rules and methods of procedure necessary to carry out the provisions of this act. After hearing an appeal the State Board shall notify the county auditor of its decision and its decision shall be final.²⁵

Section 113 of the *Code of 1935*, dealing with the examination of public accounts, was repealed by the Forty-sev-

²⁵ *Acts of the Forty-seventh General Assembly, Ch. 91.*

enth General Assembly and a substitute section was enacted. The new law provides that "the auditor of state shall cause the financial condition and transactions of all county and city offices, including cities acting under special charter, and all school offices other than those in rural and village independent districts and school townships to be examined at least once each year by the state examiners of accounts."

The law further provides that any township, municipal, or school corporation which does not receive an annual examination of accounts may, upon application to the Auditor of State, receive such an examination. Upon the request of twenty-five per cent or more of the taxpayers of a municipal or township corporation, or if there are less than one hundred taxpayers in such a corporation, upon a showing of facts, an examination may be granted. School corporations, where such an examination is not required, may apply for one through the county superintendent of schools.²⁶

In 1921 the Thirty-ninth General Assembly established a Bonus Board, consisting of the State Auditor, the State Treasurer, the Adjutant General, and the Adjutant of the Iowa Department of the American Legion. It was the duty of this Board to assist in the distribution of the soldiers' bonus in accordance with the law. The Forty-seventh General Assembly passed a measure which assigned to this board a new duty. In accordance with this law any money hereafter appropriated for aiding in the education of children of soldiers, sailors, marines, or nurses is to be known as the World War orphans' educational aid fund, and such fund shall be administered by the Bonus Board. A sum not to exceed \$150.00 per year may be expended on any child of a man or woman who died while in the military service of

²⁶ *Acts of the Forty-seventh General Assembly*, Ch. 89.

the United States between April 6, 1917, and July 2, 1921, if such child has lived in the State two years preceding application. The money is to defray tuition and fees of institutions of a college level or such business or vocational training schools as the Bonus Board shall approve.

Application is to be made to the Bonus Board and its decision is to be final. However, no one is to be eligible for benefits until he has graduated from a course of training equivalent to high school instruction.²⁷

A new law passed by the Forty-seventh General Assembly relative to taxation provides that on "August first the state comptroller, shall, for each year of the biennium, certify to the state board of assessment and review, the amount of money to be levied for general state taxes."²⁸

The Congress of the United States has provided that two or more States may enter into agreements for mutual assistance in the prevention of crime and in the enforcement of their respective criminal laws and policies. Consequently the Forty-seventh General Assembly empowered the Governor of Iowa "to enter into compacts and agreements with other states, through their duly constituted authorities, in reference to reciprocal supervision of persons on parole or probation and for the reciprocal return of such persons to the contracting states for violation of the terms of their parole or probation."²⁹

The Forty-seventh General Assembly provided for the organization of the Iowa Swine Producers' Association and gave it certain benefits under the law, provided it files with the Department of Agriculture verified proof of its organization. The association must give the names of the president, vice president, secretary, and treasurer, certify that

²⁷ *Acts of the Forty-seventh General Assembly*, Ch. 88.

²⁸ *Acts of the Forty-seventh General Assembly*, Ch. 87.

²⁹ *Acts of the Forty-seventh General Assembly*, Ch. 85.

five hundred persons are members, and give such other information as the Department may require.

The association shall act through an executive committee, composed of the president, secretary, and treasurer of the association, the Dean of the Division of Agriculture or a designated faculty member of the Iowa State College of Agriculture and Mechanic Arts, and the Secretary of Agriculture. The executive committee may employ one or more competent persons to serve full time at its pleasure. Officers of the association are to serve without pay, but shall receive necessary expenses while engaged in the business of the association.³⁰

The Forty-seventh General Assembly supplemented Section 2746 of the *Code of 1935* by providing that any person who receives a dead animal from another person "for the purpose of obtaining the hide, skin, or grease" must be the operator or employee of a licensed disposal plant. Application for a license must be accompanied by a fee of one hundred dollars instead of twenty-five dollars as previously required. After certification of fitness a plant license shall be issued upon the payment of an additional one hundred dollars. It is further provided that the Secretary of Agriculture "shall not issue license for disposal plant not located within the boundaries of the state of Iowa". If the operator remains responsible and the disposal plant complies with the Code provisions and Department regulations, an original license may be renewed for each subsequent calendar year upon the payment of one hundred dollars.³¹

A measure was adopted to recodify part of Section 2590 of the 1935 Code. This act relates to the Weather Division of the Department of Agriculture and concerns the gathering and publication of agricultural statistics.

³⁰ *Acts of the Forty-seventh General Assembly*, Ch. 111.

³¹ *Acts of the Forty-seventh General Assembly*, Ch. 109.

The new law provides a Weather Division under the supervision of a director appointed by the Secretary of Agriculture. He shall be an officer of the United States Weather Bureau, if one be detailed by the Federal government for that purpose. The duties of the Weather Division shall be as follows: "in cooperation with the United States weather bureau, collect and disseminate weather and phenological statistics and meteorological data, and promote knowledge of meteorology, phenology and climatology of the state"; establish volunteer weather stations in each county, appoint the observers, supervise such stations, and receive reports of meteorological events and tabulate same for permanent records; issue weekly weather and crop bulletins from April first to October first of each year; and publish monthly weather reports, containing meteorological matter in its relationship to agriculture, transportation, commerce, and the general public.

There shall be a Division of Agricultural Statistics in charge of a director appointed by the Secretary of Agriculture, "and who shall be an officer of the United States bureau of agricultural economics, if one be detailed for that purpose by the federal government." The Division, in cooperation with the United States Bureau of Agricultural Economics, shall compile and publish such statistics "as will generally promote knowledge of the agricultural industry in the state of Iowa." These statistics, when published, shall be the official agricultural statistics for the State of Iowa.³²

The Forty-seventh General Assembly, recognizing the importance of national and State planning and the work accomplished by an unofficial agency, created a permanent State Planning Board.

There are to be ten regular members of the Planning

³² *Acts of the Forty-seventh General Assembly*, Ch. 108.

Board: the State Geologist, the State Commissioner of Public Health, the State Superintendent of Public Instruction, one member appointed by the President of the State College from the faculty of the Agricultural Division, one member appointed by the President of the State University from the commerce faculty, one member appointed by the State Highway Commission, one member appointed by the State Conservation Commission, and three members appointed by the Governor, one of whom is to be chairman of the Greater Iowa Commission (also appointed by the Governor). Persons of special qualifications may be appointed by the Board as additional members for one-year terms, but the membership of the Board is not to exceed fifteen at any time.

The term of office for the regular members is to be at the pleasure of the appointing agencies, except that the Governor's appointments are to be for three-year terms. The Board members are to receive no compensation except necessary expenses in the discharge of their duties. No appropriation was made for the State Planning Board, however, and no provision was made for such expenses. Rules of procedure are to be made by the Board and a public record is to be kept.

All necessary personnel, their duties and compensation, are to be fixed by the Board. Any money appropriated by the national government or any public or private source for this purpose may be utilized by the Board.

The duties of the State Planning Board are set forth as follows: to make investigations in regard to the resources of Iowa and plans for their future utilization, to assist the Governor and General Assembly by making available information it may have, to advise with the various State departments and agencies, to assemble, prepare, and maintain an up-to-date file of base maps of the State, to file in the

State Land Office basic data in regard to land, to assist in county and municipal planning and zoning, and to report findings and expenditures to the Governor and legislature not later than the first of December of each year.³³

Section 3293 of the *Code of 1935* provides that the number and compensation of subordinate officers of the Board of Control shall be determined by that Board. Such employees shall be appointed and discharged by the chief executive officer. To this section the Forty-seventh General Assembly added the provision that "these employees, except physicians and surgeons, shall be bona fide residents and citizens of the state of Iowa at the time of employment. An exception to this provision of residence may be granted by the board for the sole purpose of securing professional and/or scientific services which are unavailable from among the citizens of the state of Iowa."³⁴

House File 133, as passed by the Forty-seventh General Assembly, changed the name of the "Board of Railroad Commissioners" to the "Iowa State Commerce Commission". This law included changes in more than twenty sections of the Code and in acts of the Forty-seventh General Assembly wherever the name Board of Railroad Commissioners appears. The measure, however, is one of Code revision and does not change the substance of the law.³⁵

The fees for the publication of notices and other matter required by law are prescribed by the Code. The Forty-seventh General Assembly provided that all controversies in regard to the measurements of type shall be referred to the State Printing Board and its decisions shall be final.³⁶

Section 235 of the *Code of 1935* provided for a free dis-

³³ *Acts of the Forty-seventh General Assembly*, Ch. 235.

³⁴ *Acts of the Forty-seventh General Assembly*, Ch. 116.

³⁵ *Acts of the Forty-seventh General Assembly*, Ch. 205.

³⁶ *Acts of the Forty-seventh General Assembly*, Ch. 226.

tribution of codes and other legal publications. This section was repealed by the Forty-seventh General Assembly and a substitute section was enacted. The new law provides that the Superintendent of Printing may distribute gratuitously to interested persons the *Code of 1897* and all codes issued subsequently which have been replaced by a newly issued code. All session laws which antedate the publication of the last issued code by at least four years are, likewise, to be available for free distribution. In each case, however, a reserve of each publication may be fixed by the Executive Council to be kept. Such reserve is to be distributed only upon order of the Executive Council.³⁷

Chapter 62-B 1 of the *Code of 1935* give a preference to domestic products and labor. It provides that public officials "shall use only those products and provisions grown and coal produced within the state of Iowa, when they are found in marketable quantities in the state and are of a quality reasonably suited to the purpose intended, and can be secured without additional cost over foreign products or products of other states". The General Assembly amended this law so as to make it more specific and more rigid in so far as it applies to the purchase of coal.

The law as amended provides that any board or officers of the State or its political subdivisions (except municipally-owned public utilities, school townships, and rural independent districts) are to use coal mined in Iowa provided the coal is of a suitable quality, does not impair the efficiency of the machinery already set up, and the producer has complied with the mining and workmen's compensation laws of the State.

Under the new law, purchasers of coal for public purposes in excess of three hundred dollars are required to advertise for bids in the official newspaper of the county. The

³⁷ *Acts of the Forty-seventh General Assembly*, Ch. 90.

advertisement shall state the time and place of receiving such bids and the quality and description of the coal needed. A contract shall be entered into with the lowest bidder who shall furnish qualified sureties as a guarantee for the faithful performance of the contract.

Bids for such advertised coal shall give the name of the producer, the location of the mine, and evidence of complying with the workmen's compensation and mining laws of the State. Violation of any provision of this act shall render a contract null and void.³⁸

ELECTIONS

Section 758 of the *Code of 1935* provided that in any election all names except presidential electors shall be on a single ballot. The Forty-seventh General Assembly amended this provision by stating that in any election where voting machines are used and where it is impossible to list all candidates on the machine ballot, the county auditor, city clerk, or town clerk may provide a separate printed ballot for the township ticket.³⁹

Previous to the session of the Forty-seventh General Assembly, absent voters' ballots were recorded upon the voting machine by the judges. Thus the voting machine recorded all votes in the same manner as if the absentees had voted in person. A recent amendment to this law provides for the keeping of a record book in which shall be posted the total votes cast for a candidate and the votes for and against any proposition submitted to the voters. A separate and distinct record shall be kept of the results of the voting machine, the absent voters' ballots, and the total vote cast. This record shall be signed by all of the judges.⁴⁰

³⁸ *Acts of the Forty-seventh General Assembly*, Ch. 93.

³⁹ *Acts of the Forty-seventh General Assembly*, Ch. 94.

⁴⁰ *Acts of the Forty-seventh General Assembly*, Ch. 95.

Section 13315 of the *Code of 1935* made it unlawful for any person or organization to solicit money or other thing of value to aid in elections, from members of the Board of Control or from the employees of institutions under its jurisdiction. The Forty-seventh General Assembly enacted a substitute measure making it unlawful to directly or indirectly solicit or demand from "any member of the board of control or any employee of any commission, board or agency created under the statutes of Iowa" money or anything of value for election purposes. Nor may money be solicited "for the purpose of paying expenses of any political organization or any person seeking election to public office."

It is also unlawful for any person or political organization to use for election purposes funds donated by a non-resident person, firm, or corporation. Neither may a motor vehicle owned by the State or its political subdivisions be used for campaign and election purposes and no State officer, State appointive official, or State employee may leave his employment to solicit votes for another or to conduct a campaign during the hours of his employment. This provision does not, however, apply to an officer or employee who is a candidate for political office and who may be engaged in a campaign for himself.⁴¹

A measure was enacted in regard to the election of the various officials on the municipal court judiciary ballot. Previous to this enactment names were placed on the ballot in alphabetical order. The new law provides that the names of the candidates shall be arranged and printed on primary and general election ballots as follows: "All precincts shall be arranged in numerical order. The surnames of all candidates for an office shall, for the first precinct in the list, be alphabetically arranged; thereafter for each suc-

⁴¹ *Acts of the Forty-seventh General Assembly, Ch. 232.*

ceeding precinct the name appearing first in the last preceding precinct shall be placed last so that the name that was second before the change shall be first after the change." ⁴²

HIGHWAY AND MOTOR VEHICLE LEGISLATION

The law regulating the use of motor vehicles like motor transportation itself has made great strides forward during the last thirty years. The first motor vehicle law in Iowa was written by the Thirtieth General Assembly in 1904. This law consisted of two pages. It provided for a maximum speed limit of 20 miles per hour (15 miles per hour in cities and towns). It also stipulated that, when requested or signalled to do so, the operator of a motor vehicle should bring his car to a stop and allow it to remain stationary while a horse-drawn vehicle approaching from the opposite direction passed.

Since 1904 the motor vehicle laws have been amended at every legislative session and completely rewritten at least three times. It remained for the Forty-seventh General Assembly, however, to give to Iowa a new, comprehensive, and detailed motor vehicle law comparable to the national uniform motor vehicle code. This measure ⁴³ consists of 554 sections, embraces 90 pages of the session laws, and is a thorough revision of laws relative to motor traffic in Iowa.

The new law contains many sub-divisions each of which is clearly set forth in the text. Among these sub-divisions are: the Department of Motor Vehicles; the Safety Patrol; registration; anti-theft laws; operators' and chauffeurs' licenses; law of the road; power of local authorities; traffic signs; accidents; driving while intoxicated and reckless driving; right-of-way; equipment; clearance and identifica-

⁴² *Acts of the Forty-seventh General Assembly*, Ch. 225.

⁴³ *Acts of the Forty-seventh General Assembly*, Ch. 134.

tion lights; procedure upon arrest; and reports in criminal cases.

An attempt was made to establish a separate State department to be known as the "Department of Motor Vehicles", with a commissioner appointed by the Governor. This plan was not adopted, however, and administration of the motor vehicle law was left in the office of the Secretary of State. A division of that office was created, however, to be known as the "Motor Vehicle Department", and a Commissioner, to be appointed by the Secretary of State, was provided. This Commissioner shall appoint such deputies, subordinate officers, clerks, investigators, and other employees as may be necessary for the administration and enforcement of the law, and shall appoint a chief of the Division of Highway Safety and Patrol and also the subordinate officers and employees therein. All such appointments shall be subject to the approval of the Secretary of State. Subject to the approval of the Secretary of State, the Commissioner is also authorized to make such rules and regulations as are necessary to carry out the provisions of the motor vehicle law, and for the purpose of enforcing this law he shall be deemed a peace officer.

Prior to 1937, Iowa maintained a Highway Safety Patrol consisting of 53 men. Under the new law, the Motor Vehicle Department was authorized to increase the personnel of this patrol to 128 men. The Commissioner of Motor Vehicles was authorized to designate a chief of patrol, a first and second assistant, and not to exceed fourteen men, from the patrol, as supervisory officers. The salaries of these men are fixed as follows: chief of patrol, \$250 per month; assistant chiefs, \$165 per month; supervisors, \$135 per month; patrolmen with less than one year's service, \$100 per month; patrolmen after one year's service, \$125 per month.

Under the subject, registration, the law provides for registration of motor vehicles through the office of the county treasurer. Quadruple receipts are issued by the county treasurer for registration fees. One of these is given to the registrant, two are forwarded to the Motor Vehicle Department, and one is retained in the office of the county treasurer. Provision is also made for the display of license plates and for obtaining duplicates in case the original plates are lost or destroyed.

The anti-theft law provides that every sheriff, chief of police, or peace officer, upon receiving reliable information that a motor vehicle has been stolen, shall immediately report such theft to the Motor Vehicle Department, and if any such officer receive information that a car that has been reported stolen has subsequently been recovered, he shall report this fact. The Department shall at least once a week compile and publish a list of motor vehicles that have been reported stolen and those reported recovered, and send a copy of such list to the peace officers throughout the State.

The law sets forth in detail the registration fees that shall be charged for various types of motor vehicles. "The annual fee for all motor vehicles except motor trucks, hearses, motorcycles, and motor bicycles shall be equal to one per cent of the value as fixed by the department plus forty cents for each one hundred pounds or fraction thereof of weight of vehicle, as fixed by the department." The registration fees for trucks with pneumatic tires range from \$15 per year for trucks of one-ton capacity to a fee of \$300 per year for trucks of six-ton capacity. For trucks equipped with solid rubber tires the fee is somewhat higher. Trailers weighing less than a thousand pounds and having a loading capacity of less than one thousand pounds are not subject to a registration fee. Fees on other trailers range from \$1 for a wagon-box trailer to \$70 for trailers with six-ton capacity.

The new law raised the minimum age limit for drivers of motor vehicles from 15 years to 16 years of age. Minors between the ages of 14 years and 16 years may, however, obtain a license to drive a motor vehicle to and from school. The driver's license fee was advanced from 25 cents to 50 cents for each license, but the license is for a two-year period. The chauffeur's license fee is two dollars and the license expires on December 31st of each year.

In the formulation of the new law considerable discussion centered around the section of the law designed to prohibit hitch-hiking. The law as finally passed does not prohibit this practice, but it provides that no "person shall stand in a roadway for the purpose of soliciting a ride from the driver of any private vehicle". Nothing in this section or this act, however, shall be construed so as to prevent any pedestrian from standing on that portion of the highway not ordinarily used for traffic, for the purpose of soliciting a ride.

No specific speed limit is fixed by the law for motor traffic outside of cities and towns, the law stipulating only that "any person driving a motor vehicle on a highway shall drive the same at a careful and prudent speed not greater than nor less than is reasonable and proper, having due regard to the traffic, surface and width of the highway and any other conditions then existing, and no person shall drive any vehicle upon a highway at a speed greater than will permit him to bring it to a stop within the assured clear distance ahead, such driver having the right to assume, however, that all persons using said highway will observe the law."

The following speed limits, however, are prescribed: twenty miles per hour in any business or school district; twenty-five miles per hour in any residence district; and thirty-five miles per hour for any motor vehicle drawing

another vehicle. Trucks with a gross weight in excess of 5000 pounds and equipped with pneumatic tires shall not exceed a 40-mile speed limit. If solid rubber tires are used the speed limit is 20 miles per hour. The law also provides that motor vehicles shall not be driven so slowly as "to impede or block the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with the law."

The new law imposes a heavy penalty on any person convicted of operating a motor vehicle on the public highway while in an intoxicated condition or of driving in a reckless manner:

"Whoever, while in an intoxicated condition or under influence of narcotic drugs, operates a motor vehicle upon the public highways of this state, shall, upon conviction or a plea of guilty, be punished, for the first offense by a fine of not less than three hundred dollars nor more than one thousand dollars, or by imprisonment in the county jail for a period of not to exceed one year, or by both such fine and imprisonment; for the second offense by a fine of not less than five hundred dollars, nor more than one thousand dollars, or by imprisonment in the penitentiary for a period of not to exceed one year, or by both such fine and imprisonment; and for a third offense by imprisonment in the penitentiary for a period not to exceed three years. . . .

"Any person who drives any vehicle in such manner as to indicate either a wilful or a wanton disregard for the safety of persons or property is guilty of reckless driving.

"Every person convicted of reckless driving shall be punished upon a conviction by imprisonment ⁴⁴ for a period of not more than thirty days, or by fine of not less than twenty-five dollars, nor more than one hundred dollars."

In order to protect automobile dealers, and to place the

⁴⁴ The place of imprisonment is not fixed.

sale of motor vehicles on a uniform and legally regulated basis, the Forty-seventh General Assembly passed a new law known as the "motor vehicle dealers licensing act". This law provides that no person shall engage in the business of selling at retail new motor vehicles in Iowa "unless he is authorized by a contract in writing between himself and the manufacturer or distributor", and unless the Motor Vehicle Department "has licensed the person as a motor vehicle dealer in this state".

The law also provides that no person, other than a licensed dealer in new motor vehicles, shall engage in the business of selling at retail used motor vehicles until the Motor Vehicle Department has issued a license to such person as a used motor vehicle dealer.

Under this law dealers are required to observe certain specified rules of conduct, and penalties are prescribed for a breach of the law. An annual license fee of \$5.00 is required of each dealer. Moneys accumulating from these fees shall be placed in the "Motor Vehicle Dealers License Fund", and shall be used to administer the law. Any accumulated sum in excess of \$10,000 shall be credited to the general fund of the State at the end of each fiscal year.⁴⁵

Motor vehicle operators' licenses prior to 1937 were issued to expire on June thirtieth of the odd-numbered years. An amendment to the law, passed by the Forty-seventh General Assembly, provides for their expiration on July fifth instead.

All licenses which had not been previously revoked and which were to expire on June 30, 1937, were extended to July 5, 1937.⁴⁶

Section 5093-f4 of the *Code of 1935* provides that a tax on motor vehicle fuel shall be paid to the State by the dis-

⁴⁵ *Acts of the Forty-seventh General Assembly*, Ch. 135.

⁴⁶ *Acts of the Forty-seventh General Assembly*, Ch. 133.

tributor or person first receiving it in the State. This law was amended by the Forty-seventh General Assembly to provide for the posting of prices of motor fuel and fuel oil. It was made unlawful for any distributor to deviate from the posted price by means of rebates, discounts, premiums, or otherwise. The amended law provides that every distributor of motor vehicle fuel or fuel oil shall keep posted in a conspicuous place "the price per gallon of each grade of motor vehicle fuel and fuel oil offered for sale, the amount of state license fee per gallon thereon, the federal excise tax per gallon thereon, and the total thereof". If any rebate, discount, commission or other concession is granted by distributors of such nature as will reduce the cost or price to any purchaser, "the conditions, quantity and amount of such rebate, discount, commission or other concession shall be posted as a part of the posted price".

This law also amended Section 5093-f31 of the *Code of 1935* to provide that it shall be unlawful for any distributor "to change or alter the price placard until it shall have been posted for a period of twenty-four hours except to meet a posted competitive price in that community".⁴⁷

A legislative measure passed by the Forty-seventh General Assembly provides that the "state highway commission shall designate the street or streets which shall constitute the primary road extensions in any city or town of the state of Iowa, which city or town is separated from the remainder of the state of Iowa by a river more than five hundred feet in width from bank to bank." The laws of the State in regard to the construction, reconstruction, and maintenance of such roads, the purchase and condemnation of the right of way, and the expenditure of primary road funds shall be the same for such highways as if the roads designated were not separated from the rest of the State.

⁴⁷ *Acts of the Forty-seventh General Assembly*, Ch. 136.

This act became effective by publication in a Council Bluffs and an Avoca paper and was apparently intended for these cities.⁴⁸

SCHOOL LEGISLATION

The Forty-seventh General Assembly made provision for Iowa to receive any Federal funds appropriated to help the States with a more effective program of public education. The Superintendent of Public Instruction shall keep such records as are necessary to qualify under the Federal law. In the treasury of the State there shall be a special fund to which the Federal grants shall be accredited. The Treasurer shall also keep such records as are required by law.

Each school year, in October and April, the funds credited to such special fund shall be distributed to the several public school corporations of the State in the proportion which the total number of teacher units for each school corporation for the preceding school year bears to the total number of teacher units for the State for such school year. The manner of computing the teacher units is defined by law.

A refund shall be paid by the school corporation receiving tuition for non-resident pupils to the school corporation paying such tuition.⁴⁹

A recent amendment to the school laws of Iowa provides that a child who has become a public charge and who is being cared for by a licensed children's boarding home shall be provided with school facilities. Even if the domicile of the child is in another school district than the one in which the boarding home is located it may attend school in the latter district, and if this district does not maintain a school of the classification suitable for the child, it may attend any

⁴⁸ *Acts of the Forty-seventh General Assembly*, Ch. 128.

⁴⁹ *Acts of the Forty-seventh General Assembly*, Ch. 126.

approved public school that will receive it. Upon requisition by the Superintendent of Public Instruction and upon warrants drawn by the Comptroller, the State Treasurer shall pay the tuition of such child from State funds not otherwise appropriated. If the child was in the district when the biennial school census was taken, the semi-annual apportionments shall be deducted from the tuition due the district under the provision of this act. The Superintendent of Public Instruction may require such reports as are necessary to carry out the provisions of the law.⁵⁰

In accordance with a recent amendment relative to school textbooks, the board of directors of every school corporation is now allowed to loan such textbooks as are necessary to pupils free or to rent them at a reasonable fee. A previous Code provision provides for the sale of textbooks to pupils at cost. The Forty-seventh General Assembly also established the method of keeping textbooks and supplies and the regulations governing their sale. At the close of each school year the board of directors shall make a complete settlement with each bonded depository within the county.

Should a majority of electors in a county decide upon county uniformity for textbooks such textbooks may be purchased by the county and sold through legal depositories as provided for by the Forty-seventh General Assembly. Any school corporation under county uniformity may purchase such textbooks as have been adopted through the county board of education. And these textbooks may be loaned or rented to pupils. When textbooks have been loaned or rented the pupils and their parents are responsible for their care.⁵¹

Section 4488 of the *Code of 1935* was amended by the

⁵⁰ *Acts of the Forty-seventh General Assembly*, Ch. 123.

⁵¹ *Acts of the Forty-seventh General Assembly*, Ch. 124.

Forty-seventh General Assembly to provide that the permanent school fund may be loaned by the county auditor at a rate not less than four per cent rather than the previous minimum of five per cent. County auditors shall make an annual report to the State Comptroller of the amount of all sales and resales made during the year previous, of the sixteenth section, five-hundred-thousand-acre grant, escheat estates, and lands taken under foreclosure of school fund mortgages. The Comptroller shall charge the same to the counties with interest from the date of such sale or resale to January first, at a rate of three and one-half per cent per annum. This rate is a reduction of one per cent of the interest formerly fixed by law.

Each county having permanent school funds under its control shall be charged an annual interest rate of three and one-half per cent, the interest to be levied for the previous year or for such part of it as the funds were under county control. All interest collected above the three and one-half per cent charged by the State shall be transferred to the general county fund.⁵²

Section 4239-a3 of the *Code of 1935* provides that members of the school boards and treasurers of all school corporations shall not receive compensation for official service. This law was amended by the Forty-seventh General Assembly so that in school townships, rural or village independent districts, and consolidated districts that contain a city or town having a population less than one thousand, the board may pay a legally qualified school treasurer a reasonable compensation.⁵³

A recent amendment to the law relative to the school census provides that between the first and fifteenth days of June in each even-numbered year the sub-director of each

⁵² *Acts of the Forty-seventh General Assembly*, Ch. 125.

⁵³ *Acts of the Forty-seventh General Assembly*, Ch. 122.

school township shall prepare a school census on blanks provided for that purpose by the Superintendent of Public Instruction. Such blanks shall contain the information prescribed. And by the twentieth of June "the subdirector shall send this list to the secretary of the school township who shall make full record thereof as required by law."

The secretary of each school corporation shall enter in a book prepared by the Superintendent of Public Instruction shall send this list to the secretary of the school township the school census. Such census shall contain the data set forth by the enactment of the Forty-seventh General Assembly. The secretary shall file with the county superintendent on blanks prepared for that purpose by the Superintendent of Public Instruction a complete report concerning the school corporation.⁵⁴

The Forty-seventh General Assembly provided that school boards may now allow busses, used for transporting children to and from school, to be used also for extra-curricular activities. Provided that these extra-curricular activities are made a part of the regular school program by the board, and that the busses transporting students to and from those extra-curricular activities are accompanied by a faculty member.⁵⁵

The fee for the renewal of third grade teaching certificates, in accordance with a recent amendment, shall be two dollars instead of one dollar as provided by a former law. Each applicant for a teaching certificate and applicants for a certificate of graduation for the normal course in a county shall also pay a fee of two dollars instead of the one dollar previously fixed.⁵⁶

The Iowa State Board of Education was authorized by

⁵⁴ *Acts of the Forty-seventh General Assembly*, Ch. 121.

⁵⁵ *Acts of the Forty-seventh General Assembly*, Ch. 120.

⁵⁶ *Acts of the Forty-seventh General Assembly*, Ch. 119.

the Forty-seventh General Assembly to purchase real estate for an experimental farm. The additional lands are necessary in order to accommodate the work which the Iowa State College has undertaken in conjunction with the United States Department of Agriculture. An act of Congress, approved on July 2, 1862, authorizes the States to undertake and purchase experimental farms.

The State Board of Education was authorized to expend not to exceed \$44,000 from the permanent endowment fund of the Iowa State College to pay for this land.⁵⁷

SOCIAL WELFARE

The Federal "Social Security Act" in its provisions regarding child welfare, old age assistance, and aid to the blind provided that each State should establish or designate some single State agency to supervise or administer the operation of the program. Because of a long-felt need and because of the provision of the Federal law, the Forty-seventh General Assembly established a State Department of Social Welfare.⁵⁸

The State Board of Social Welfare as constituted by the new law is composed of five members appointed by the Governor with the consent of two-thirds of the Senate in executive session. At least one member shall be a woman; no two are to be from the same congressional district; and not more than three are to be members of the same political party. The term of office is four years. Each member is to receive fifteen dollars per day for each day he devotes to the actual performance of his duties, but the total sum of compensation cannot exceed twelve hundred dollars per year.

The State Board shall have authority to administer old

⁵⁷ *Acts of the Forty-seventh General Assembly*, Ch. 127.

⁵⁸ *Acts of the Forty-seventh General Assembly*, Ch. 151.

age assistance, aid to the blind, aid to dependent children, child welfare, and emergency relief. The Board shall prepare and print yearly reports as to the administration of the acts under its control; coöperate with the Federal Social Security Board; exercise general supervision over the county boards of social welfare; and furnish information to the public concerning its jurisdiction and work.

The Board shall appoint a Secretary to serve at its pleasure and to perform such duties as it may require. His salary shall not exceed three thousand dollars per year. All employees of the Board must have been residents of Iowa for at least two years, and must be selected from those who qualified in an examination given by or under the direction of the Board.

Three divisions are created within the Department: a division of old age assistance; a division of emergency relief; and a division incorporating aid to the blind, aid to dependent children, and child welfare. Each division has a superintendent who serves at the pleasure of the Board and is to receive a salary not in excess of thirty-six hundred dollars per year.

County boards of social welfare are also established. In counties of less than thirty-three thousand population, a board of three members is to be appointed, at least one of whom shall be a woman and no more than two from the same political party; in counties of more than thirty-three thousand the board shall consist of five members, at least one of whom shall be a woman and no more than three may belong to the same political party. The members are appointed by the county board of supervisors for a term of one year. Compensation is three dollars per day and not to exceed ninety dollars yearly in the smaller counties, nor one hundred and twenty dollars in the larger ones. This remuneration is to come from the general fund of the county.

The duty of the county board is to direct old age assistance, aid to the blind, aid to dependent children, and emergency relief in the county. A county director and such personnel as shall be approved by the State Board shall be appointed by the county board upon the basis of fitness. Applicants for positions must be legal residents of Iowa for at least two years prior to such application. The compensation of county board employees is to be fixed by the county board, subject to approval by the board of supervisors and the State Board of Social Welfare, and shall be paid from funds made available by the State Board.

The provisions of the Federal Social Security Act made it necessary for the Forty-seventh General Assembly to revise the procedure of administering old age assistance in Iowa, established by the Forty-fifth General Assembly in extraordinary session and revised and amended by the Forty-sixth General Assembly.⁵⁹

A Division of Old Age Assistance is created under the State Department of Social Welfare. The State Welfare Board shall appoint a superintendent responsible for administering old age assistance. It is his duty to appoint, with the approval of the State Board, all necessary personnel. These provisions supersede the previous ones concerned with the administration of old age assistance by a State Commission and county boards. Investigations of the status of the aged in the various counties is to be conducted by old age assistance investigators appointed by the county boards of social welfare.

The newly created State Board of Social Welfare shall require of the Superintendent of the Old Age Division the following: a report of the total number of recipients; the amounts paid in cash; cash receipts and disbursements; total number of applications; the number granted and the

⁵⁹ *Acts of the Forty seventh General Assembly, Ch. 137.*

number denied; the number cancelled; and any other necessary information. The State Board is to coöperate with the Federal Social Security Board, furnish information to acquaint the public with the operation of the act, and fix the salaries of the personnel of the Department.

The amount of assistance is to be determined by circumstances, but in no case shall it exceed twenty-five dollars a month when added to other sources of income. Under the revised law old age assistance shall be granted to individuals only upon the following conditions: an applicant must have a residence or domicile in the State of Iowa; have attained the age of sixty-five years; be a citizen of the United States or have been a resident of the United States for the last twenty-five years; have had an uninterrupted domicile for nine years preceding application; have had five years residence during the nine year domicile; have supported his wife, if a husband, and not deserted her husband, if a wife; not be an inmate of any public institution; have no individual or society able to support him; have been found unable to earn an annual income of three hundred dollars; and found not to need continuous institutional care.

Persons with real property assessed at two thousand dollars, or with three hundred dollars cash or more are not eligible for assistance under the act. In the case of a married couple the amount is four hundred and fifty dollars.

The value of any property which does not produce a reasonable income shall be computed according to law for purposes of granting assistance. Upon the death of an individual, his estate shall be subject to a second class claim (public rates and taxes) by the State amounting to the total sum of assistance paid. Property belonging to persons receiving old age assistance is subject to transfer to the State for payment of any claims held by the State. Such procedure is, however, subject to the rights of a surviving spouse. Ad-

ministrators or executors are to pay any lien (as prescribed by the act) or claim when so ordered by the court.

Any insurance policy may be assigned to the "commission" (State Board) if the recipient of benefits believes he cannot maintain future payments.

The county welfare board is to investigate all applications for benefits. It shall then make a recommendation to the State Division of Old Age Assistance as to the amount of benefit to be allowed. If necessary the Division may make a supplementary investigation. The State Division will then allow or disallow the county board's recommendation. An aggrieved applicant may appeal his case to the State Board and then to the courts in accordance with the procedure established by law. A rejected applicant may not reapply for assistance until a year has elapsed.

A certificate stating the amount of assistance is to be given to each applicant. This certificate shall be good for two years, subject to review by the State Division. Payments are to begin on the day fixed by the State Welfare Board.

Any increase in the amount of property belonging to recipients shall be made known to the county board which will make future recommendations to the State Division. Failure to so notify the county board is to be subject to a penalty as prescribed by law.

Upon the death of a recipient of assistance the funeral expenses of the deceased may be paid by the State. Such payment is not to exceed one hundred dollars and is to become part of the claim for assistance granted.

A recipient of assistance is to receive no other aid from the State or from its political subdivisions except for fuel, dental care, nursing, osteopathic, chiropractic, medical, and surgical assistance, and hospitalization.

If, upon the testimony of a reputable witness, an individ-

ual receiving or applying for assistance is shown to be incapable of taking care of himself and his money, a guardian shall be appointed. The appointment is to be made by the district court through the county attorney, upon recommendation of the State Board of Social Welfare.

All records concerning applications are the property of the State of Iowa and are confidential, subject to inspection only for purposes of administering this act or under the order of a court. Falsifying an application is to be punished as a misdemeanor.

With the establishment of a State Department of Social Welfare, the previous Code provisions concerning the supervision of child welfare by the State Board of Control were repealed and a bill to establish a sub-division of child welfare, under the State Department of Social Welfare was enacted as a substitute.⁶⁰ This law provides for a Sub-division of Child Welfare under the supervision of the superintendent in charge of the division having charge of aid to the blind, dependent children, and child welfare. The superintendent shall, under rules and regulations adopted by the State Board, carry on the administrative and executive duties of the sub-division. He is: to appoint the necessary personnel, subject to the approval of the State Welfare Board; to provide information; to submit an annual budget; and to coöperate with county departments within the State.

In regard to child welfare, the State Board of Social Welfare is authorized: to review the acts and decisions of the Sub-division of Child Welfare; to coöperate with the government of the United States in strengthening child welfare services within the State; to gather information so as to determine the need for such services; to apply for and receive funds as allotted to the State by the United States; to

⁶⁰ *Acts of the Forty-seventh General Assembly*, Ch. 118.

make budget estimates; to coöperate with the counties; to aid in enforcing all laws in respect to children; and to co-operate with the juvenile courts and the State Board of Control.

The duties of the Sub-division of Child Welfare within the State Department of Social Welfare are: to plan and supervise all public child welfare services; to make reports and to furnish information to any Federal agencies charged with problems of child care; to make rules and regulations for the supervision of private child-caring agencies; to supervise and inspect private institutions for the care of dependent, neglected, and delinquent children; to approve county and private institutions to which children may be legally committed; to receive annual reports from juvenile courts and institutions concerned with child welfare; to receive information concerning and to keep a record of adoptions; to license and inspect maternity hospitals, private boarding homes for children, and private child placing agencies.

All previous Code provisions respecting maternity hospitals, children's boarding homes, child-placing agencies, neglected and dependent children, and adoption are now subject to the Sub-division of Child Welfare instead of the State Board of Control.

County aid to the blind is now in charge of the State Board of Social Welfare and the county boards of social welfare. To be eligible for assistance a person must have the following qualifications: be eighteen years of age or over; be a citizen of the United States or have made application for citizenship; have resided in Iowa for five years during the last nine; and have resided one year immediately preceding application; not be an inmate of a public institution; not be soliciting alms in any part of the State; not be receiving old age assistance; not have made a trans-

fer of property for the purpose of becoming eligible for assistance; and not have enough income or resources to provide a reasonable subsistence. The amount of assistance is to be determined by circumstances and under the regulations of the State Board of Social Welfare, but in no case is the amount to exceed thirty dollars per month.

In regard to aid for the blind, the State Board of Social Welfare is to have the following duties: be responsible for the efficient administration of this act; prescribe the qualifications required of county board employees; designate the procedure for determining the blindness of the applicant; coöperate with the Federal Social Security Board and qualify for Federal aid for the blind; and coöperate with other agencies for the prevention of blindness. The county boards are to coöperate with the State agency and, after approval by the State Board, submit to the county board of supervisors a budget of estimated expenditures.

Application for assistance must be made in the county where the applicant resides. The application is to be investigated and an examination conducted by an approved ophthalmologist. The findings shall then be sent to the State Board and the decision as to what amount of assistance is recommended will be indicated in accordance with rulings of that body. Any assistance granted under this act is not assignable. Any applicant has the right to appeal his case to the State Board. A reconsideration of any case may be made by the county board as prescribed by rulings of the State Board.

Any individual may be provided treatment to aid in the prevention of blindness, provided he qualifies under other provisions of the act. Any individual unable to use the assistance judiciously may have a guardian appointed upon recommendation of the county welfare board. If during the time assistance is given, a dependent becomes possessed of

property or income he shall notify the county board. After an investigation the board shall recommend whether payments are to continue or are to be suspended.

Upon the death of any recipient, the State Board may, if necessary, finance the expenses of burial provided such expenses do not exceed one hundred dollars. After deducting the expenses of burial and last sickness, a recipient's estate shall be charged with the amounts paid under this act.

The county shall pay one-fourth of all administrative services in regard to aid to the blind within the county (all the compensation of county welfare board members) and one-fourth of the assistance payable to blind persons. The State is to pay the remaining three-fourths and to establish a fund for aid to the blind which will receive the money appropriated by the State.⁶¹

One of the major purposes of the Social Security Act passed by Congress and signed by the President in August, 1935, was to enable the States to establish programs of unemployment compensation. Such programs were to be embodied in State laws. The Federal act merely provides that where the Social Security Board has approved a State plan the employers, taxed by the Federal government one per cent in 1936, two per cent for 1937, and three per cent after 1937, may deduct the amount paid to the State from the total Federal tax, but this deduction may not exceed 90 per cent of the tax due the Federal government. The cost of administering unemployment insurance shall, however, be paid by the Federal government.

A satisfactory State law for unemployment insurance must have been passed and approved by December 31, 1936. Failure to pass such a law meant that the Federal tax collected in a State went into the general treasury of the United States and the tax money was lost to the State.⁶²

⁶¹ *Acts of the Forty-seventh General Assembly*, Ch. 144.

⁶² See the Federal Social Security Act of 1935, Secs. 301-303, 901-910.

Consequently Governor Clyde L. Herring, on December 16, 1936, called an "extraordinary session" of the General Assembly to meet at Des Moines, on Monday, December 21st. During the session an "Unemployment Compensation Law" was passed, but it was hastily drafted to meet the time requirement of the Federal act, and an early revision was expected.

The Forty-seventh General Assembly meeting in the early months of 1937 undertook to rewrite the recently enacted law providing for unemployment insurance.⁶³ Under the new law, benefits are to be paid to unemployed through State employment offices and may begin twenty-four months after the first payments accrue under the act. Each eligible unemployed person is to receive from five to fifteen dollars a week, according to his full time weekly wage. Partial unemployment is to be paid for by partial payments.

After a waiting period of two weeks an individual is eligible for benefits. He must be registered at and continue to report to an employment office. Furthermore he must be able to work and be available for work and he must have earned, within a prescribed period, a sum equal to fifteen times his weekly benefit. An applicant is to be disqualified for benefits: if he has left work voluntarily; if he has been discharged for misconduct; if he fails to apply for suitable work when so directed by the Unemployment Compensation Commission (suitable work is that not dangerous to the health, morals, and safety of individuals, or labor not carrying disadvantageous wages and hours); if he is participating in or helping finance a labor dispute; and if he is receiving benefits under the Workmen's Compensation Law of any State or benefits from the old age pension fund established by the Federal Social Security Act.

⁶³ *Acts of the Forty-seventh General Assembly*, Ch. 102.

Claims for benefits are to be made in accordance with the procedure set down by the Commission. Such claims shall be examined and allowed or disallowed by a deputy. Appeals from the deputy's decision may be carried to an appeal tribunal, subsequently to the Commission, and finally to the courts.

In conformity with Federal legislation, the Iowa law applies to employers of eight or more employees for at least fifteen weeks during the year. Services rendered for the State or Federal government or for a political subdivision of the State or Federal government, agricultural labor, domestic service in a private home, and services of a religious or charitable nature are exempt from the provisions of the law. Employers are required to pay a sum equal to 1.8 per cent of their payrolls for the last six months of 1936 and contribute enough additional to make nine-tenths of one per cent of their total payroll for the year 1936. The rate for 1937 is 1.8 per cent and for 1938 and for each year thereafter up to and including 1941 2.7 per cent. After 1941 the rate is to be based upon "benefit experience" as provided by law. The merit rating is such that occupations with the highest amount of unemployment pay the highest rate.

A fund separated from other public funds and administered by the Unemployment Compensation Commission of Iowa is to receive the moneys thus paid. This Commission is to be composed of three members appointed for six years by the Governor with the consent of the Senate. The act is to be administered by the Commission and it is given the duty of making necessary regulations and all subordinate appointments on the basis of fitness in accordance with the law.⁶⁴

As provided by the Federal act, unemployment exchange

⁶⁴ This section in regard to the Unemployment Compensation Commission was enacted earlier in the session and was reënacted in the general law.—*Acts of the Forty-seventh General Assembly*, Ch. 103.

offices are to be established to coöperate in a national employment system. The appointment of a director and the method of financing are enumerated in the act.

HEALTH AND SAFETY

A measure passed by the Forty-seventh General Assembly prohibits the sale or use of fireworks except in certain specified cases. The council of any city or town or the trustees of any township may, however, grant a permit for the display of fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals approved by proper authorities, when such fireworks display shall be handled by competent operators. Sales of fireworks may be made for such displays only and after the required permit has been issued. No permit is required, however, for the display of fireworks at the State Fair Grounds by the State Fair Board, nor for displays made by county and district fairs receiving State aid.

The types of fireworks restricted by this measure include blank cartridges, toy pistols, toy cannons, toy canes, or toy guns in which explosives are used, firecrackers, torpedoes, sky-rockets, Roman candles, and other fireworks of like construction. This law does not restrict the sale or handling of fireworks to be shipped out of the State.⁶⁵

Section 1387 of the *Code of 1935* provides that if an employee is injured, the employer if "requested" to do so, is required, in addition to other compensation, to furnish reasonable medical aid for a period of four weeks. The Forty-seventh General Assembly amended this law to provide that an employer "with notice or knowledge of an injury" to an employee is required to furnish reasonable surgical, medical, osteopathic, chiropractic, nursing, and hospital services and supplies. In exceptional cases the Industrial Commis-

⁶⁵ *Acts of the Forty-seventh General Assembly*, Ch. 181.

sioner shall fix the amount which in no case shall exceed six hundred dollars to be expended for such services. Charges believed to be excessive may be referred to the Industrial Commissioner for adjustment.⁶⁶

The Forty-seventh General Assembly enacted a section additional to Chapter 148 of the *Code of 1935*, dealing with the adulteration of foods. The term "ice milk", "imitation ice cream", or "frozen malted milk", as used in this chapter shall include all frozen products other than milk sherbet and fruit ice made in semblance of ice cream and containing less than ten per cent of butterfat. These products shall be pasteurized as defined by law. They shall not contain added color nor fats other than butterfat.

Ice milk or imitation ice cream shall be sold only in the manufacturer's package or wrapper. It is to be labeled according to law and sold in establishments displaying signs prescribed by this act.

A further provision states: "Milk sherbet shall contain not less than two per cent of butterfat and four per cent of milk solids. Fruit ice shall contain not less than four tenths of one per cent of fruit acid."⁶⁷

Because the production and distribution of coal is of public interest, because accidents often occur in mines that the State mine inspectors do not know exist, and because it is necessary to keep an accurate record of the opening and operation of mines, the Forty-seventh General Assembly amended the mining law so as to provide for more rigid restrictions upon mine operators.

The amended law provides that any person or firm contemplating the opening of a coal mine for produce or sale must first obtain a permit from the State Mine Inspector of the district in which the intended mine is to be located. A

⁶⁶ *Acts of the Forty-seventh General Assembly*, Ch. 98.

⁶⁷ *Acts of the Forty-seventh General Assembly*, Ch. 112.

suitable application form is to be provided. This form is to include the name of the operator, post office address, location of mine, kind of power to be used for hoisting and haulage, kind of opening, name of supervising official, and number of years of actual mining experience. The applicant is to provide all necessary information and when these provisions have been complied with a license is to be issued free of charge.

Failure to comply with these provisions shall make it the duty of the State Mine Inspector to file a complaint with the county attorney to enjoin further operation of the mine until the operator complies with the law. The provisions of this act do not apply to any person who shall mine coal on his own property for his own personal use.⁶⁸

In recent years many coal mine accidents have resulted from blasting while workmen were in the mine. To avoid such accidents in the future the Forty-seventh General Assembly amended the law so as to place a ban upon such operation. The amended law provides that no person shall do any blasting in any coal mine of this State until all persons except the shot firer or firers are out of the mine.⁶⁹

Section 2812 of the *Code of 1935* provides for certain license fees to be paid by hotels and restaurants. An amendment passed by the Forty-seventh General Assembly makes this law applicable to movable lunch stands to be operated only at fairs, street fairs, or carnivals. The fee for a State license for such transient or movable lunch stands shall be three dollars for each location or ten dollars per year, at the option of the applicant. No fee is to be levied on any church, charitable, or non-profit organization maintaining such a stand.⁷⁰

⁶⁸ *Acts of the Forty-seventh General Assembly*, Ch. 96.

⁶⁹ *Acts of the Forty-seventh General Assembly*, Ch. 97.

⁷⁰ *Acts of the Forty-seventh General Assembly*, Ch. 110.

A new statute dealing with the service of process provides that "any defendant in any criminal action pending or to be brought in any court in the state of Iowa may be served with process, either civil or criminal, in any other action pending or to be brought against him in the courts of this state while he is present in this state, either voluntarily or involuntarily". The provisions of this chapter shall apply to cases pending or not disposed of when the measure was enacted. All such processes served shall have the same validity as if this statute had been enacted prior to the service thereof.⁷¹

The law relative to procedure under the power of eminent domain provides that when private property is taken for public use, a commission of six resident freeholders shall be named to assess the damages. Such assessment when thus made shall be final unless an appeal is made. Any party interested may, within thirty days after the assessment is made, appeal therefrom to the district court, by giving the adverse party, his agent or attorney, and the sheriff written notice of the appeal.

This law was recently amended by adding the following provisions: "Such notice of appeal shall be served in the same manner as an original notice. In case of condemnation proceedings instituted by the state highway commission, when the owner appeals from the assessment made, such notice of appeal shall be served upon the attorney general, or the special assistant attorney general acting as counsel to said commission, or the chief engineer for said commission. When service of notice of appeal cannot be made as provided in this section, the district court of the county in which the real estate is situated, or a judge thereof, on application, shall direct what notice shall be sufficient."⁷²

⁷¹ *Acts of the Forty-seventh General Assembly*, Ch. 234.

⁷² *Acts of the Forty-seventh General Assembly*, Ch. 203.

Section 13352 of the *Code of 1935* provides that to constitute a prison breach — escape from the penitentiary or a reformatory — “it is not necessary that the prisoner be within any walls or inclosure nor that there shall be any actual breaking nor that he be in the presence or actual custody of any officer or other person.” The Forty-seventh General Assembly made this provision applicable to jail breaks.⁷³

The Forty-seventh General Assembly enacted a substitute measure defining the punishment of contempt of court. The punishment where not otherwise specifically provided for shall be as follows: in the Supreme Court, by a fine not exceeding one thousand dollars or by imprisonment in a county jail not exceeding six months, or by both; in a court of record, by a fine not exceeding five hundred dollars or by imprisonment in a county jail not exceeding six months, or by both; in all other courts by a fine not exceeding ten dollars.⁷⁴

Section 13008 of the *Code of 1935* provides a punishment for any person who commits larceny in the nighttime “in any dwelling house, store, or any public or private building”. This law was amended by the Forty-seventh General Assembly to make it applicable to offenses committed in any building “or other construction of any type or character”.⁷⁵

Keeping slot machines shall be considered a violation of the laws of the State of Iowa and such offense shall be punished by a fine not less than fifty nor more than three hundred dollars or by imprisonment in the county jail not exceeding one year or both. The Forty-seventh General Assembly further provided that no one shall, in any manner or for any purpose whatever, except under proceedings to destroy the same, have, keep, or control any machine used

⁷³ *Acts of the Forty-seventh General Assembly*, Ch. 233.

⁷⁴ *Acts of the Forty-seventh General Assembly*, Ch. 227.

⁷⁵ *Acts of the Forty-seventh General Assembly*, Ch. 229.

for gambling, or any slot machine or device with an element of chance attending such operation.⁷⁶

When a divorce is decreed, the court may make such order in relation to the children, property, parties, and the maintenance of the parties as appears to be right. Subsequent changes may be made if circumstances render them expedient. Section 10482 of the *Code of 1935* provides that if any party against whom such a decree has been entered, shall wilfully disobey the decree, or secrete his property, he may be cited and punished for contempt of court. The Forty-seventh General Assembly amended this law to provide that such punishment may include commitment to the county jail for a period of time not to exceed thirty days for each offense.⁷⁷

The Forty-seventh General Assembly passed an act relating to the civil liability of owners, lessees, licensees, and operators of radio broadcasting stations. Neither the owners nor their agents or employees shall be liable for any damages for any defamatory statement published or uttered in or as part of any broadcast by one other than such persons. However, such owner, operator, employee, or agent shall exercise due care to prevent the publication or utterance of such defamatory statements.⁷⁸

CONSERVATION

Section 1703-e8 of the *Code of 1935* provides that the Conservation Commission shall adopt and enforce such rules and regulations as it may deem advisable pertaining to the equipment and operation of boats used for hire on the inland waters of the State. The Forty-seventh General Assembly repealed this section and added to Chapter 85 of the

⁷⁶ *Acts of the Forty-seventh General Assembly*, Ch. 231.

⁷⁷ *Acts of the Forty-seventh General Assembly*, Ch. 224.

⁷⁸ *Acts of the Forty-seventh General Assembly*, Ch. 238.

Code a long list of rules and regulations. Penalty for a violation of the rules as thus set forth shall be one hundred dollars fine or thirty days imprisonment.⁷⁹

Under the new law, boats are placed in seven classes for the purpose of designating the kind and type of equipment necessary for safe operation. The law designates the proper kind of lights for boats in each class and stipulates that "no person shall operate any boat on any of the waters of the state under the jurisdiction of the commission in such a manner as to endanger life and property". Boat races and regattas may be held upon State waters only upon being licensed by the Commission. The manner of maintaining buoys is specifically set forth in the chapter.

Craft licensed by the United States and operated under Federal authority are exempt from the provisions of this law. All navigation accidents are to be reported to the nearest police officer and to the Commission. The number of passengers and crew under the provisions of the amended law shall not exceed the licensed limit, and boats failing to pass inspection are to be removed from public waters.

The Forty-seventh General Assembly also wrote a series of rules and regulations in regard to fish and game and gave the Conservation Commission authority to make all rules necessary to carry into effect the powers and duties vested in the Commission. Administrative orders shall be made only after an investigation and are effective only after publication in a newspaper of general circulation in the State or in the territory affected. A copy of such administrative orders shall also be filed with the Secretary of State.

The Forty-seventh General Assembly, likewise, defined the conditions under which game, protected non-game birds, fur-bearing animals, mussels, frogs, spawn, or fish may be taken or killed.

⁷⁹ *Acts of the Forty-seventh General Assembly*, Ch. 99.

Under the amended law it is unlawful to use a ferret or any mechanical device for chasing animals from their dens. And "no person shall at any time shoot any rifle on or over any of the public waters or public highways of the state." Any person having lawful possession of game may keep same not to exceed ten days after the close of the open season for such game.

Game breeders are to be licensed and to conduct their business according to law. The Commission may, after an investigation, issue to any person a scientific collector's license. Such a collector is exempt from certain provisions of the act.

The General Assembly also set forth the possession limit, the daily catch limit, the open season, and the minimum length or weight of the various kinds of fish taken in any waters of the State. The fishing season for certain lakes is defined by law. The manner and procedure of fishing, such as bait and kind of hooks and lines, are regulated by law. Commercial fishing is to be conducted according to law, as to kind of tackle, seines, and nets. Catching of mussels for commercial purposes must be sanctioned by a license from the Conservation Commission.

Trapping seasons for fur-bearing animals are enumerated for each kind of animal. Furs, hides, or skins may be held only for 10 days after a season closes, but upon specific application to the Commission hides may be held for a longer time. Licensed fur dealers are exempt from certain provisions of this act.

The General Assembly enacted into law certain rules and regulations in regard to public parks previously left to the Conservation Commission. Protection of property, traffic regulations, and camping rules are established by law.

Removal of ice, sand, gravel, stone, wood, or other natural material from any lands or waters under the jurisdic-

diction of the Commission must be made only upon agreement with the Commission. The manner and procedure of such removal is defined by law.

Conservation officers have authority also over violations of the motor vehicle law and over other public offenses committed in their presence.

To provide for the protection of the State water, commonly known as the "Iowa great lakes system" in Dickinson County, and to provide sewers and sewer diversion works in that area the Forty-seventh General Assembly appropriated \$125,000 from the funds allocated to the State Board of Social Welfare to be expended by the State Conservation Commission whenever the Federal government makes its funds available. The specific powers and duties of the Commission in carrying out this program were set forth in the law.⁸⁰

DRAINAGE

Chapter 282 of the *Code of 1935* which deals with benefited water districts was repealed by the Forty-seventh General Assembly and a substitute chapter consisting of thirty-four sections was enacted. The new law provides that the board of supervisors of any county shall, on the petition of twenty-five per cent of the resident property owners in any proposed benefited water district, grant a hearing relative to the establishment of such a district.

When the board receives such petition it shall fix a time for a public hearing which shall be within twenty days of the date of the petition and shall publish notice of such meeting. On the day fixed for the hearing the board shall by resolution establish the benefited district or disallow the petition, or for adequate reason it may defer action for ten days. A benefited district established as herein provided

⁸⁰ *Acts of the Forty-seventh General Assembly*, Ch. 100.

may include part or all of any incorporated city or town together with or without surrounding territory.

When the board shall have established a benefited district, it shall appoint a competent disinterested civil engineer to make surveys and present a preliminary report of the proposed project. When the preliminary plans have been approved by the board, a date, not more than thirty days after such approval, shall be set for an election within the district "to determine whether or not the proposed improvement shall be constructed and to choose candidates for the offices of trustee within the district."

If the result of the election is in favor of the improvement, the board shall instruct the engineer to complete plans and specifications, and when these are completed the board shall advertise for bids in accordance with the law. Provision is also made for assessments within the district and also for a one-half mill annual tax to pay interest and deficiencies when they arise.

When the construction, assessment, and bond sale have been completed, and final settlement made with the contractor, the management of the utility shall automatically go to three trustees.⁸¹

In accordance with a new measure passed by the Forty-seventh General Assembly, levee and drainage districts are authorized to maintain an action in law or equity for the purpose of recovering or preventing damages, either in the form of an impairment of functions or an increase in operating costs, resulting from the construction or operation of locks, dams, and pools in the Mississippi or Missouri rivers. Such districts may make settlement by written contract. They may receive appropriations that are made by Congress to pay for the increased cost of drainage or levee districts, and "may agree to the construction and maintenance

⁸¹ *Acts of the Forty-seventh General Assembly*, Ch. 148.

of present equipment'' as a part of the damages or as a means of lessening the damages which will be suffered by the district. Such districts are further authorized to employ such legal and engineering counsel as may be needed, and to pay for these out of the award of damages or out of the maintenance fund of the district.⁸²

For the purpose of refinancing, adjusting, composing, and refunding the indebtedness of any drainage district found to be in financial distress, the governing body, or board of supervisors as the case may be, is authorized to enter into agreements with the creditors, for the reduction and composition of its outstanding indebtedness, and to negotiate a loan with which to make settlement. This law was recently amended to apply to "levee districts" as well as "drainage districts".⁸³

The law dealing with highway drainage districts provides that upon request of the city or town council, it shall be the duty of the board of supervisors to relinquish "all authority and control of the drainage district which is within the corporate limits" of the city or town. The Forty-seventh General Assembly added to this law the provision that whenever such jurisdiction and control is relinquished, the board of supervisors shall transfer to the city or town all funds held by the county treasurer which were derived from assessments in the drainage district within the corporate limits.⁸⁴

BANKS AND LOAN ASSOCIATIONS

Section 9246 of the 1935 Code provides that should the capital stock of any State or savings bank become impaired by losses or otherwise, "the superintendent of banking may

⁸² *Acts of the Forty-seventh General Assembly*, Ch. 204.

⁸³ *Acts of the Forty-seventh General Assembly*, Ch. 202.

⁸⁴ *Acts of the Forty-seventh General Assembly*, Ch. 201.

require an assessment upon the stockholders, and shall address an order to the several members of the board of directors of such bank, fixing the amount of assessment required". Because of the effect of the depression, the relief of shareholders under the National Banking Act of 1933 and 1935, and a lack of faith in shareholder liability, this section of the Code dealing with such liability was repealed by the Forty-seventh General Assembly.

Any assessment liability referred to in said sections shall, on and after July 4, 1937, cease with respect to any shares issued prior to December 1, 1933, and as to any shares issued at any time subsequent to said date in lieu of shares issued prior to said date, by any State incorporated banking institution which shall be transacting the business of banking on July 4, 1937. Nothing in this act shall affect any claim now existing against said banking institution, provided that all further claims arising under the repealed sections shall be fully barred from and after January 1, 1938.⁸⁵

Many State banks, savings banks, and trust companies have been reorganized pursuant to law. Many such reorganizations provide for the creation of a trust fund made up of segregated assets to be administered by trustees, subject to the local court. To assist the Superintendent of Banking in enforcing these provisions and to protect the interests of the certificate-holders the Forty-seventh General Assembly passed an act to provide for such enforcement and to prescribe the method of terminating a trust by the Superintendent of Banking and the supervision of the trust while in operation.⁸⁶

The Iowa law provides that whenever a bank operated within the State has been or shall hereafter be closed and

⁸⁵ *Acts of the Forty-seventh General Assembly*, Ch. 219.

⁸⁶ *Acts of the Forty-seventh General Assembly*, Ch. 218.

placed in the hands of a receiver, the board of supervisors shall remit all unpaid taxes on the "capital stock" of the bank. A recent amendment to this law provides that the unpaid taxes on the "surplus and undivided profits" of the bank shall likewise be remitted.⁸⁷

Code provisions relating to the powers of building and loan or savings and loan associations were amended by the Forty-seventh General Assembly. Such associations may now issue shares of stock to members to be paid for in single, monthly, optional, or irregular payments. The articles of incorporation may provide that stock shall be treated as issued in proportion to the amounts paid in by and credited to members without regard to any par value. Any building and loan association may "obtain, continue and pay for insurance of its shares with Federal Savings and Loan Insurance Corporation".

"Building and loan or savings and loan associations may be effected by conversion of federal savings and loan associations as authorized by the laws of the United States of America and regulations made thereunder, subject to approval of the auditor of state." The procedure authorizing conversion to a State association is defined by law.

"Any such association may invest an amount not to exceed five per cent of its paid in capital stock in unincumbered real estate for use wholly or partly as its business office."

The secretary of every association shall mail to each shareholder an annual report stating the condition of the business.

Employees handling funds or securities shall be bonded to the amount deemed necessary by the board of directors. The percentage of the assets that may be used for expenses was redefined for associations with assets over eight hundred

⁸⁷ *Acts of the Forty-seventh General Assembly, Ch. 187.*

thousand dollars. Fiduciaries may invest funds in building and loan associations incorporated under the laws of Iowa or in associations organized under the laws of the United States of America.

The method of incorporating new associations is defined by law. Provision for dividends is made in the articles of incorporation and shall be issued in accordance with the law.⁸⁸

Section 9330 of the *Code of 1935* relating to the limitation of stock issuance of building and loan associations was amended by the Forty-seventh General Assembly. The amended section provides that this limitation shall not apply to shares issued to the Home Owners' Loan Corporation or to any other governmental agency or instrumentality.⁸⁹

INSURANCE

The Forty-seventh General Assembly enacted a substitute measure relating to the deposit of securities with the Commissioner of Insurance to cover the valuation of policies of life insurance companies and associations. The law now provides that any Iowa company "may file a verified statement of the total amount of loans secured by its policies, and evidence of such indebtedness shall be checked by the commissioner at least semi-annually". Such verified statement shall be taken and considered as a security to be deposited in accordance with the law. Cash on hand not in excess of five per cent of the requirement may be included in the deposit. Deposits of securities may be made in excess of the amounts required.⁹⁰

The Forty-seventh General Assembly enacted a substitute measure relating to the investment of funds by life insur-

⁸⁸ *Acts of the Forty-seventh General Assembly*, Ch. 220.

⁸⁹ *Acts of the Forty-seventh General Assembly*, Ch. 221.

⁹⁰ *Acts of the Forty-seventh General Assembly*, Ch. 212.

ance companies and associations. Funds required to be deposited with the Commissioner of Insurance shall be invested in the following described securities: Federal and Territorial obligations; State and municipal obligations; Canadian governmental and municipal obligations; public utility obligations; railroad obligations; real estate bonds and mortgages; real estate for the accommodation of the home office; policy loans; collateral loans; substitution of certificates of sale and satisfactory evidences of ownership of real estate; and substitution of contracts of sale and purchase money mortgages or purchase money deeds of trust in amounts approved by the Insurance Commissioner.

Other fixed obligations are eligible for deposit if they bear a fixed rate of interest and are issued or guaranteed by any corporation incorporated and operated in accordance with the law. Such securities shall not be eligible for deposit in amounts in excess of the sums set forth by law.⁹¹

Section 8906 of the *Code of 1935* was amended to provide additional financial requirements to be complied with by mutual insurance companies prior to the issuance of a certificate of authority. Such companies shall have in cash or in authorized securities, surplus in an amount not less than five thousand dollars. The Commissioner of Insurance may require an additional surplus but not an amount to exceed twenty-five thousand dollars. These surplus requirements are not applicable to a company which establishes and maintains a guaranty fund as provided by law. This law does not affect companies already approved by the Commissioner of Insurance.⁹²

Qualifications for surety in bail cases are defined by law. The Forty-seventh General Assembly provided that insurance companies other than life doing business in this State

⁹¹ *Acts of the Forty-seventh General Assembly*, Ch. 213.

⁹² *Acts of the Forty-seventh General Assembly*, Ch. 214.

under Section 8940 of the *Code of 1935* may act as surety in bail cases and need not be a resident, householder, or freeholder within the State. Nor does such a company need to qualify under the Code provisions for surety.⁹³

Insurance companies organized and operating under Chapter 406 of the *Code of 1935* shall be required to maintain a reserve, as defined by law, for unearned premiums and assessments. County mutuals and associations operating on a post loss basis and not charging advance assessments are excepted from this provision.

An association previously organized shall not be required to maintain the unearned premium reserve until December 31, 1940, but such associations must have established by December 31, 1937, a reserve equal to at least one-fourth of the reserve required by law; by December 31, 1938, at least one-half of such reserve, and by December 31, 1939, at least three-fourths of such reserve.⁹⁴

The Forty-seventh General Assembly passed an act to prohibit certain life, health, and accident insurance companies or associations which issue contracts, the performance of which is contingent upon the payment of assessments or calls made upon their members, from doing business within this State. Fraternal and beneficiary associations are excepted and associations now authorized to do business within this State are excepted, if a life insurance company or association shall value their assessment policies or certificates of membership as yearly renewable term policies according to the standard of valuation of life insurance policies prescribed by the laws of Iowa.⁹⁵

The Forty-seventh General Assembly enacted a substitute measure relating to loans by life insurance companies

⁹³ *Acts of the Forty-seventh General Assembly*, Ch. 215.

⁹⁴ *Acts of the Forty-seventh General Assembly*, Ch. 216.

⁹⁵ *Acts of the Forty-seventh General Assembly*, Ch. 217.

on stock of life insurance companies and certain other companies. No such company shall invest in or make any loan upon its own stock or the stock of any other life insurance company as collateral. Neither shall it directly or indirectly make any loan to or invest any of its funds in the property of any corporation, firm, association, or trustees, if any officer of the insurance company is an officer or director of such corporation or association, a member of such firm, or a trustee of such trustees.⁹⁶

AGRICULTURE

The 1935 Code provided that any seed corn offered for sale as hybrid must represent "the first generation of a cross between strains of different parentage and involving inbred lines of corn and (or) their combinations." To this section the Forty-seventh General Assembly added the provision that the container having the hybrid corn shall have the identifying symbols or numbers, with explanations if necessary, clearly indicating the specific combination used in the production of the corn.⁹⁷

A substitute measure was enacted for the Code provisions relating to the eradication and control of weeds. Primary and secondary noxious weeds are defined by law. The Secretary of Agriculture shall appoint the head of the botany and plant pathology section of the Iowa Agricultural Experimental Station as State Botanist whose duty shall be to cooperate in developing a constructive weed eradication program. The board of supervisors of each county shall appoint for a period not to exceed one year a county weed commissioner or one commissioner for each township and fix the salaries. In incorporated cities and towns the city council may appoint a similar commissioner and fix his sal-

⁹⁶ *Acts of the Forty-seventh General Assembly*, Ch. 210.

⁹⁷ *Acts of the Forty-seventh General Assembly*, Ch. 113.

ary subject to approval by the county board. All such salaries are paid from the county general fund. Subject to the approval of the board, the weed commissioner may hire the labor necessary and utilize the equipment needed for the performance of his duties. Before the first of November of each year the weed commissioner shall make to the board of supervisors a report as defined by law.

The Secretary of Agriculture shall have the authority and responsibility to coöperate in the control and extermination of noxious weeds. The county board of supervisors shall be responsible for the enforcement of the provisions of this chapter. Each year a program for the control of weeds may be prescribed but such program shall be published in the official county newspaper and contain such items as are stated by law.

Each owner or person in possession of lands shall coöperate in the control of weeds. Loss to crops or property caused by a reasonable destruction of weeds shall be borne by the property owner. In case a property owner fails to destroy weeds pursuant to an order of the board of supervisors, the board shall cause them to be eradicated by the county and the cost shall be assessed against the property in accordance with the law.

House File 79 was introduced to amend the law relative to the noxious weeds by striking all of paragraph 2, Section 4819, *Code of 1935*, and enacting a substitute. This measure was approved on May 1, 1937. Five days later, on May 6th, the above law making substantial change in the noxious weed law was approved. This latter measure repealed all of Section 4819 and enacted a substitute. Accordingly the passage of House File No. 79 was of no effect and the law now stands as set forth in Chapter 131 of the *Acts of the Forty-seventh General Assembly*.⁹⁸

⁹⁸ *Acts of the Forty-seventh General Assembly*, Chs. 131, 132.

BUSINESS AND INVESTMENTS

The Iowa Securities Act — Chapter 393-C1 of the *Code of 1935* — provides that no securities except of a class specifically exempted or unless sold in any transaction exempt under Section 8581-c5 of the Code, shall be sold within this State unless such securities shall be registered in accordance with the Iowa law. Section 8581-c5 enumerates ten transactions which shall be exempt from the above mentioned rule. The Forty-seventh General Assembly amended this law by adding an additional exemption. The amended law provides that the sale by a registered dealer of any security acquired in the ordinary and usual course of business, when such security is part of an issue which has theretofore been sold to the public in compliance with the law, or any security issued in exchange for such security under a bona fide plan of reorganization of a corporation by a court order, shall constitute an exempt transaction.

This law also defines the power of the Secretary of State to prescribe a limitation on commissions to be paid by or on behalf of an issuer of securities.⁹⁹

An applicant registering his securities under the Iowa Securities Act as amended by the Forty-seventh General Assembly shall pay to the State a fee of one-tenth of one per cent of the aggregate par value of the securities to be sold here. The fee is not to be less than twenty-five dollars nor more than three hundred dollars unless the amount of securities to be sold is in excess of one million dollars. For amounts over that sum the fee is to be five hundred dollars.

Par value is to be computed as follows. For no par value stock it is to be the price at which the stock is to be offered to the public; for par value stock, offered to the public at a price greater than the stipulated par value, legal par value shall be computed at the higher price.

⁹⁹ *Acts of the Forty-seventh General Assembly, Ch. 208.*

Fees for the registration of dealers or salesmen are to be paid at the time the information and application is filed with the Secretary of State.¹⁰⁰

A foreign mutual company authorized to carry on the insurance business may have its surplus as required by law in notes or bonds secured by mortgages or unincumbered real estate. The Forty-seventh General Assembly provided, however, that such security must be worth at least one and two-thirds times the amount loaned thereon.¹⁰¹

Section 12644-c14 of the *Code of 1935* in regard to the investment of funds by guardians of veterans was repealed and a substitute measure enacted. The new law provides that the funds of the estate shall be invested under orders of the court, in securities in which the guardian has no interest. Eligible securities and the manner of notifying the veterans' administration is provided for by legislative enactment.¹⁰²

CORPORATIONS

Section 8365 of the *Code of 1935* provides that the charter of a corporation for pecuniary profit may be renewed within three months before or after the time for its termination if a majority of the votes cast at any regular election, or special election called for that purpose, are in favor of such renewal. This law was amended by the Forty-sixth General Assembly in 1935 to provide that any such corporation whose charter expired in 1934, 1935, or 1936 should be given an extended corporate existence for two years from the date of expiration.

The Forty-seventh General Assembly again amended this act to provide that a corporation may, by unanimous vote

¹⁰⁰ *Acts of the Forty-seventh General Assembly*, Ch. 209.

¹⁰¹ *Acts of the Forty-seventh General Assembly*, Ch. 211.

¹⁰² *Acts of the Forty-seventh General Assembly*, Ch. 228.

of the stockholders, renew its charter under provisions of Section 8365, and that they should be exempted from the prohibition against renewals as passed by the Forty-sixth General Assembly.¹⁰³

The law relating to railroads was amended by the Forty-seventh General Assembly to prohibit the abandonment of railway stations without the approval of the Board of Railroad Commissioners. The law as amended provides that it shall be unlawful for any railroad operating in Iowa to abandon any station, discontinue any agency, or remove any depot, without filing notice of such intention with the Board of Railroad Commissioners. When such notice is filed any person interested may file written objections and request a public hearing. Upon such hearing the Board may prohibit the abandonment or discontinuance of the station or agency, or may make such other order as is warranted by the evidence produced at the hearing.

Under the provisions of Chapter 205 of the *Acts of the Forty-seventh General Assembly* this matter will now be handled by the Iowa State Commerce Commission instead of the Board of Railroad Commissioners.¹⁰⁴

The Code provision in regard to unfair discrimination in sales was amended by the Forty-seventh General Assembly. Commerce or commercial services, excepting those the rate of which is now subject to control of cities or towns or other governmental agency, are subject to the provisions of the law. The act is to prevent unfair discrimination between localities and unfair competition between businesses. Due allowance must be made, however, for the difference in the cost of furnishing service in different localities.¹⁰⁵

¹⁰³ *Acts of the Forty-sixth General Assembly*, Ch. 93; *Acts of the Forty-seventh General Assembly*, Ch. 207.

¹⁰⁴ *Acts of the Forty-seventh General Assembly*, Ch. 206.

¹⁰⁵ *Acts of the Forty-seventh General Assembly*, Ch. 222.

MORATORIUMS AND EXEMPTIONS

The Forty-fifth General Assembly enacted a measure "relating to the extension of the period of redemption of real estate in all real estate foreclosure actions" pending where deeds of conveyance had not been granted. Two years later the Forty-sixth General Assembly, feeling that the emergency still existed, extended the law until March 1, 1937.¹⁰⁶

The emergency causing the enactment of these laws still existing, in the opinion of the Forty-seventh General Assembly, a measure relating to the extension of the period of redemption from the sale under a foreclosure of real estate was reënacted. This act provides that unless a good cause can be shown to the contrary, the period of redemption shall be extended until March 1, 1939.

Defendant mortgagors or grantors of deeds of trust who have been granted extensions of the period of redemption are, if these have not been revoked, to be notified by mail of the enactment of this act. If an application for extension is not made before March 1, 1937, the previous extension is to expire. Upon application the court or judge of any court is to provide for the notice and hearing for the extension of the redemption period. The filing of an application automatically extends this period until the case is disposed of by the court.¹⁰⁷

Another continuing act passed by the Forty-seventh General Assembly relates to foreclosure of real estate mortgages and deeds of trust. This measure, which originated as Senate File No. 15 and was amended by Senate File No. 183, reënacted provisions passed by the Forty-fifth General Assembly and renewed by the Forty-sixth. The new law

¹⁰⁶ *Acts of the Forty-fifth General Assembly*, Ch. 179; *Acts of the Forty-sixth General Assembly*, Ch. 110.

¹⁰⁷ *Acts of the Forty-seventh General Assembly*, Chs. 78, 79.

provides that unless good cause is shown to the contrary, and upon proper application, actions now pending or hereafter commenced for the foreclosure of real estate or deeds of trust are to be continued to March 1, 1939. Rents, profits, or incomes from said property are to be paid to and distributed by the clerk of the district court. All acts or parts of acts in conflict with these provisions are suspended while this act is in effect.¹⁰⁸

Section 11760 of the *Code of 1931* set forth an extensive list of articles which were to be exempt from execution in actions for the payment of debts. The Forty-fifth and Forty-sixth General Assemblies extended those exemptions. The Forty-seventh General Assembly passed a similar measure. Under the provision of the new law a debtor who is a resident of the State of Iowa and the head of a family may "have set off to him livestock, farm products, farm utensils or machinery, household goods, or other property owned by him, in the aggregate value not to exceed the sum of \$500.00, and hold said property exempt from general execution until March 1, 1939." Household goods not to exceed \$100.00, whether or not pledged for debt may be included in this exemption. This measure also provided that the exemption provisions of the two previous sessions of the General Assembly should be extended until March 1, 1939.

Whenever the debtor claims the additional exemptions as provided in this act the value of the property claimed for exemption is to be determined by three appraisers. The provisions of this act are not to apply to debtors who availed themselves of the provisions of exemption provided by the Forty-fifth and Forty-sixth General Assemblies. Neither shall this act apply to executions or attachments that were levied on or before March 16, 1933, upon certain

¹⁰⁸ *Acts of the Forty-seventh General Assembly*, Chs. 80, 81.

property specified by the Forty-fifth General Assembly, nor shall it affect the remedies for existing obligations as against property then in existence, except household goods not to exceed one hundred dollars in value. Acts or parts of acts in conflict with these provisions are suspended while this act is in effect.¹⁰⁹

PROFESSIONS

Chapter 89 of the Code was amended and rewritten by the Forty-seventh General Assembly.¹¹⁰ The new law provides that "No person shall practice professional engineering or land surveying in the state unless he be a registered professional engineer or a registered land surveyor". A Board of Engineering Examiners is established, consisting of five members appointed by the Governor. The following qualifications for members are prescribed: at least thirty-five years of age; a resident of this State for at least three years previous to appointment; at least ten years of active practice preceding appointment, during which time he should have had two years work as principal or assistant; and a member in good standing of a recognized State or national engineering society. No two members of the Board shall be from the same branch of the profession of engineering.

Appointments to the Board shall be made in the odd-numbered years. Vacancies for unexpired terms are to be filled by appointment by the Governor.

The Board may make all rules and regulations, not inconsistent with law, necessary for the performance of its duties. The services of the Attorney General shall be available for this Board.

Compensation for Board members shall be ten dollars

¹⁰⁹ *Acts of the Forty-fifth General Assembly*, Ch. 177; *Acts of the Forty-sixth General Assembly*, Ch. 109; *Acts of the Forty-seventh General Assembly*, Ch. 82.

¹¹⁰ *Acts of the Forty-seventh General Assembly*, Ch. 101.

per day while traveling to and from and during sessions. The Board is to elect a chairman and vice chairman from its own members; the Secretary of the Executive Council or one of his assistants is to be secretary of the Board; there is to be one special meeting on the first Tuesday of December of each year and special meetings upon call; and three members of the Board constitute a quorum. Such clerical help as is necessary may be employed by the Board.

The Board shall submit to the Governor an annual report of the year's transactions and the secretary is to keep a list on file of all certificates granted and shall collect and account for all fees paid to the Board. Such fees are to be turned over to the Treasurer of State to be kept in a fund known as the engineering examiners' fund.

Application for registration shall be upon forms provided by the Board and upon the payment of a fifteen dollar fee.

The following shall be considered as sufficient evidence for granting a professional engineer's certificate: graduation from an approved course of four years or more in engineering and a specific record of two years practical experience; or successfully passing a written, or written and oral, examination and a specific record of six years or more of practical experience in engineering work. Evidence for granting a land surveyor's certificate shall be: graduation from an approved course of surveying in an approved school or college, and an additional two years or more of practical engineering work; or successfully passing a written, or oral and written, examination and specific evidence of six years of practical experience. In considering qualifications, responsible charge of engineering teaching may be construed as responsible charge of engineering work; a year completed without graduation may be construed as a year of practical experience, graduation from an approved course other than engineering may be construed as two

years of practical experience. However, no applicant may receive credit for more than four years of practical experience because of educational qualifications. And no person is eligible for registration who is not a person of good character and reputation.

Examinations shall be given at stated intervals and the Examiners' reports shall be filed with the secretary of the Board who shall notify applicants of the result. Successful applicants may, upon the payment of an additional fee of ten dollars, receive a certificate of registration. The procedure for the renewal of expired certificates and the revoking of certificates is set forth by law.

Any person not legally authorized to practice engineering in this State may be restrained by a permanent injunction. Violation of this act shall be punished by a fine of not less than one hundred dollars nor more than five hundred, or by three months imprisonment, or by both fine and imprisonment.

The provisions of this act shall not apply to employees of corporations while doing work for that corporation, except corporations offering their services as professional engineers or land surveyors; nor shall it apply to engineers and surveyors of the United States government; nor to assistants of registered engineers or surveyors; nor to the operation "and/or" maintenance of power and mechanical plants or systems; nor to an engineer or surveyor from without the State until a reasonable time has elapsed for registration.

Chapter 117 of the *Code of 1935* was repealed by the Forty-seventh General Assembly, and a substitute measure in regard to podiatry was enacted. The act applies to those who publicly profess to be, or who publicly assume the duties of, podiatrists. "A podiatrist is one who examines or diagnoses or treats ailments of the human foot, medically or

surgically." The act does not apply to physicians, surgeons, osteopaths, or osteopathic surgeons authorized to practice in this State. Podiatrists licensed previous to the taking effect of this act are also exempt, as are those who sell or manufacture corrective shoes, arch supports, drugs, or medicine for use on the foot.

Applicants for a license to practice podiatry must possess the following qualifications: be a graduate of an accredited high school; present a diploma from an approved school of podiatry; pass an examination in subjects set forth by law and others as may be required by the Board of Examiners; and, after January 1, 1938, present satisfactory evidence of eight months of internship in a recognized school, hospital, clinic, or office.

A school of podiatry, to have a recognized standing, must require a course of study covering a period of at least eight months in each of three calendar years, and after January 1, 1940, the school must have as an entrance requirement one year's study in a recognized college, junior college, university, or academy.

"A license to practice podiatry shall not authorize the licensee to amputate the human foot or perform any surgery on the human body at or above the ankle, or use any anesthetics other than local." Each licensee must designate his profession as "practice limited to the foot".¹¹¹

Chapter 124-C 1 of the *Code of 1935* restricts the maintenance and operation of funeral homes to persons legally licensed as embalmers. The Forty-seventh General Assembly amended this law to provide that any heir or legal representative of a licensed embalmer may maintain a funeral home for a period of two years after the death of such licensed embalmer. A licensed embalmer shall be employed to operate the home during the two-year period and the

¹¹¹ *Acts of the Forty-seventh General Assembly*, Ch. 104.

State Department of Health is to be notified of such employment by the licensee.¹¹²

The Forty-seventh General Assembly amended Chapter 124-C1 of the Code by adding the following provision: "It is further provided that nothing in the provisions of this act shall apply to any person, firm, or legally established funeral home other than cooperative burial associations, except that each such legally established funeral home shall comply with the provisions of this chapter as to state control, licenses, and license fees, engaged in the undertaking business on July 4, 1935."

The Code Editor was directed to insert following Section 2534 a provision in regard to the renewal fee for one licensed to practice embalming. An additional \$4.00 is to be paid for the renewal of an embalming license and such money shall be used by the Board of Embalming Examiners at such time as said examiners or the Iowa funeral directors association conducts a state-wide educational meeting for its members.¹¹³

The penalty of a fine not to exceed one hundred dollars or not to exceed thirty days in jail for a violation of the Code provisions with respect to public health was extended to the profession of barbering as well as cosmetology. Violation of the barbering and cosmetological chapters of the Code shall be subject to a fine not to exceed one hundred dollars or not to exceed thirty days in the county jail.¹¹⁴

Sections 3151 to 3169 of the *Code of 1935* pertaining to the sale and distribution of narcotic drugs was repealed by the Forty-seventh General Assembly and a substitute measure was enacted. "It shall be unlawful for any person to manufacture, possess, have under his control, sell, pre-

¹¹² *Acts of the Forty-seventh General Assembly*, Ch. 107.

¹¹³ *Acts of the Forty-seventh General Assembly*, Ch. 106.

¹¹⁴ *Acts of the Forty-seventh General Assembly*, Ch. 105.

scribe, administer, dispense, or compound any narcotic drug, except as authorized in this act."

Manufacturers and wholesalers of narcotics must obtain a license from the Iowa Pharmacy Examiners. The fee for such a license shall be five dollars, with an annual renewal fee of two dollars. Pharmacists, physicians, dentists, and veterinarians in the regular course of their profession are not affected by this provision. Qualifications for licenses shall be as follows: the applicant must be of good moral character; properly equipped to carry on the business described in his application; must not have been convicted during the preceding five years of wilful violation of any law of the United States, or of any State in regard to narcotics; and must not be a drug addict. The Pharmacy Examiners may revoke or suspend any license for cause.

Upon an official written order, a duly licensed manufacturer or wholesaler may dispense or sell narcotic drugs to any of the following persons: a manufacturer, wholesaler, pharmacist, or pharmacy owner; a physician, dentist, or veterinarian; a person in charge of a hospital, for use only in that hospital; and a person in charge of a laboratory, for use in that laboratory for scientific or medical purposes. A duly licensed manufacturer or wholesaler of narcotics may sell such products to any of the following persons: an employee of any governmental area, upon a properly written order as defined by the Federal narcotic laws, when that official uses the drug in the official discharge of his duties; the master or licensed physician of a ship or aircraft; and a person in a foreign country if the Federal narcotic laws have been obeyed. The method and procedure of making out the official order is defined by law. Only in the discharge of his duties may the person granted the narcotics dispense or administer them in the State of Iowa.

Prescribed records shall be kept by wholesalers, manu-

facturers, pharmacists, physicians, dentists, veterinarians, and other persons authorized to administer or dispense narcotics. The kind of labels and the manner of attaching them to containers with narcotic contents is defined by law. And a legally authorized person may possess narcotics only in the original container.

The provisions of this act do not apply to common carriers or individuals legally transporting narcotics, nor to public officers in the official discharge of their duties, nor to incidental employees aiding authorized dispensers or administrators of narcotics.

No person shall keep a common nuisance which is resorted to by drug addicts. Narcotic drugs the lawful possession of which cannot be established shall be delivered to State officials or as otherwise provided for by this act. The official or board licensing any person convicted shall be notified whenever such licensee is convicted. The court may suspend or revoke such license at its discretion. After a proper application and a showing of good cause such license may be reinstated.

Records made necessary by this act shall be confidential. And no person shall attempt to get narcotics by fraud or deceit. The penalty for a first violation of this act shall be a fine not to exceed one thousand dollars or imprisonment in jail not to exceed two years, or both. Subsequent offenses shall carry a fine not to exceed two thousand dollars, or imprisonment not to exceed ten years, or both.¹¹⁵

Section 3174 of the *Code of 1935* provides that no one shall sell at retail certain enumerated poisons unless he ascertains that the purchaser is aware of the nature of the poisons. The Forty-seventh General Assembly substituted a measure which states that only licensed pharmacists may retail certain enumerated poisons. The licensed

¹¹⁵ *Acts of the Forty-seventh General Assembly*, Ch. 114.

pharmacist must ascertain that the poison is for a proper purpose, that the purchaser is aware of its nature, and that the date of sale, the name, and address of the purchaser, the name of the poison, the purpose for which purchased, and the name of the seller are kept in a "poison register". Such data shall be kept for five years and shall be open to the peace officers and Pharmacy Examiners of the State.

All poisons shall be marked and properly labeled in accordance with the law. Containers or packages containing ammonia water, concentrated lye, denatured alcohol, formaldehyde, and commercial hydrochloric, nitric, sulphuric, or oxalic acids shall be also marked poison in accordance with the law.

This enactment in regard to poison shall not apply in the following cases: to proprietary medicines, not poisonous and sold in the original package; to the filling of prescriptions from, or the sale to, properly licensed persons for drugs dispensed as an incident to the practice of their profession; to insecticides, fungicides, and commercial feeds as defined by law; and to any proprietary preparation intended for use in destroying some of the lower animals, provided the preparation is sold in accordance with the provisions of this chapter.

It shall be unlawful to sell poisons to persons known to be of unsound mind or to be under the influence of intoxicants. Nor shall poisons be sold to any minor under sixteen years of age unless upon the written order of some responsible person known to the seller or deliverer. Such written order shall contain all the information necessary for the "poison register".¹¹⁶

COUNTY GOVERNMENT

Chapter 274 of the *Code of 1935* provides that the county

¹¹⁶ *Acts of the Forty-seventh General Assembly, Ch. 115*

board of supervisors shall select the newspapers in which public notices shall be published. This selection shall be made from newspapers published and having the largest number of bona fide yearly subscriptions within the county. The Forty-seventh General Assembly added a new section to this law, providing that in determining the number of subscribers, the board shall consider only those subscribers "listed by the publisher in accordance with the postal laws and regulations, and who have been on the list at least three consecutive months prior to date of application."

This law also provides that in counties having a population of more than fifty thousand, divided into two divisions for court purposes, the supervisors shall select three official newspapers in each division, not more than two of which shall be published in the same city or town. In counties having less than fifty thousand population, divided into two divisions for court purposes, two such newspapers shall be selected in each division.¹¹⁷

In the interest of hospital management the Forty-first General Assembly, in 1925, passed an act which was general in form, but which in fact applied to hospitals located in Des Moines and Polk County. This law authorized hospital trustees to consolidate and combine under one management all public hospital service in the county. Section 5368-a5 of the *Code of 1935*, a codification of this law, provides that immediately upon the consolidation of such service and upon certification by the board of hospital trustees to the board of supervisors for the increased county levy provided by law, the authority of the city to make a levy for the hospital fund and the hospital maintenance fund shall cease. The original law also provided that upon such consolidation, the authority of the board of supervisors to contract for furnishing medical or dental attention should likewise

¹¹⁷ *Acts of the Forty-seventh General Assembly*, Ch. 145.

cease. This latter provision of the law was repealed by the Forty-seventh General Assembly. Accordingly, under the present law, the board of supervisors of Polk County may contract for medical and dental service, notwithstanding any arrangement which may be made for consolidated city-county hospital management.¹¹⁸

Chapter 257 of the *Code of 1935* deals with the office of the county recorder. The Forty-seventh General Assembly amended this law by adding two sections relative to the keeping of records in conformity with the Federal Social Security Act. The new law provides that any person "who is registered under the federal social security act may have such record permanently recorded in the office of the county recorder, upon payment of a fee of twenty-five cents." It further stipulates that "there shall be kept in connection with such record an alphabetical index, referring to the name of the person so registered under the federal social security act."¹¹⁹

To provide for the improvement of secondary roads, the county board of supervisors may, upon petition, establish road assessment districts. Such petition shall intelligently describe the lands within said proposed district and the road or roads desired to be improved, and shall give a general description of the nature of the improvement. The petitions shall be signed by thirty-five per cent of the owners of the lands within the proposed district who are residents of the county. The Forty-seventh General Assembly amended this last provision by adding that "where none of the land owners within the proposed district are residents of the county, by thirty-five per cent of such non-resident owners."¹²⁰

¹¹⁸ *Acts of the Forty-seventh General Assembly*, Ch. 143.

¹¹⁹ *Acts of the Forty-seventh General Assembly*, Ch. 138.

¹²⁰ *Acts of the Forty-seventh General Assembly*, Ch. 130.

Section 4755-b26 of the *Code of 1935*, which deals with the improvement of primary roads in cities and towns, was repealed by the Forty-seventh General Assembly and a substitute section enacted in lieu thereof. The new law provides that the State Highway Commission, subject to the approval of the city council, shall have authority "to construct, reconstruct, improve and maintain extensions of the primary road system within any city or town, including cities under special charter, provided that such improvement shall not exceed in width that of the primary road system and the amount of funds expended in any one year shall not exceed twenty-five per cent of the primary road construction fund." The law also stipulates that the location of the primary road extensions shall be determined by the State Highway Commission.¹²¹

A law giving disabled veterans preference in the matter of operating news stands at county courthouses was passed by the Forty-seventh General Assembly. The new law provides that upon the application of any honorably discharged soldier, sailor, marine, or nurse, who was disabled in war, the board of supervisors of any county shall "cause to be reserved in the court house of the county a reasonable amount of space in the lobby of the court house to be used by the applicant rent free as a stand for the sale of news, tobaccos, and candies." Should there be more than one applicant for such reserved space, the board of supervisors shall make the award to the person in their opinion most deserving of it. The supervisors shall prescribe the regulations by which the stands shall be operated.¹²²

In Osceola County a question arose concerning the use of funds voted for certain primary road improvements, but not needed in their entirety for that purpose. The Forty-

¹²¹ *Acts of the Forty-seventh General Assembly*, Ch. 154.

¹²² *Acts of the Forty-seventh General Assembly*, Ch. 153.

seventh General Assembly passed a law to clarify this situation. The new law provides that any county which has issued primary road bonds for road improvement, "and thereafter has an unexpended balance of bond proceeds" is authorized to expend such balance, with the consent of the State Highway Commission, for improving any other roads in the county which are designated as primary roads at the time of the expenditure.¹²³

Sections 5348 to 5368 of the *Code of 1935* provide for the establishment and maintenance of a county public hospital upon the approval of the voters at a special election called for that purpose. The Forty-seventh General Assembly amended this law to provide that such a proposition when presented at a special election shall not be deemed carried unless the proposition "receives not less than sixty per cent (60%) of the total vote cast at said election."¹²⁴

Prior to 1937, Section 5353 of the Code provided for a tax levy of "one-half mill for the improvement and maintenance" of county hospitals. This levy may now be increased to "one mill for the improvement, maintenance and replacements".¹²⁵

Section 5359 in the chapter of the Code dealing with county public hospitals enumerates the powers and duties of the board of hospital trustees. One of the functions of the board is that of accepting property by gift, devise, bequest, or otherwise. This law was amended by the Forty-seventh General Assembly to provide that if the board of trustees "deems it advisable", it may, at public sale, "sell or exchange any property so accepted upon a concurrent vote of a majority of all members of the board", and apply the proceeds or property received in exchange, to the pur-

¹²³ *Acts of the Forty-seventh General Assembly*, Ch. 152.

¹²⁴ *Acts of the Forty-seventh General Assembly*, Ch. 140.

¹²⁵ *Acts of the Forty-seventh General Assembly*, Ch. 141.

poses of maintaining and operating the county public hospital.¹²⁶

A recent amendment to the law relating to public exhibitions gave boards of supervisors power "to regulate or prohibit in any county, outside the limits of a city or town, the public exhibition, for any price, gain, or reward, of any traveling show, circus, rodeo, or other public display of any kind."

The law also provides that no person shall exhibit any traveling show, circus, or rodeo in such area until he shall have obtained a license from the county auditor, upon the payment to the county treasurer of such sum as may be fixed by the board of supervisors, but such sum shall not exceed one hundred dollars.¹²⁷

Section 7539 of the *Code of 1935* provides that when a levee, ditch, drain, or change of any natural watercourse crosses a public highway, necessitating moving or building or rebuilding any secondary road bridge, the board of supervisors shall move, build, or rebuild such structure and pay the costs from the secondary road fund. This law was mandatory, but was amended by the Forty-seventh General Assembly to make it optional. The law now requires that such change shall be made only "when in the exercise of sound discretion it appears that it will promote the general public welfare".¹²⁸

"No sale, contract, or lease, where the transfer of title to personal property is made to depend on any condition shall be valid against any creditor or purchaser of the vendee or lessee in actual possession obtained in pursuance thereof, without notice, unless the same be in writing, executed by the vendor and vendee, or by the lessor and lessee, ac-

¹²⁶ *Acts of the Forty-seventh General Assembly*, Ch. 142.

¹²⁷ *Acts of the Forty-seventh General Assembly*, Ch. 190.

¹²⁸ *Acts of the Forty-seventh General Assembly*, Ch. 200.

knowledge by the vendor or vendee, or by lessor or lessee." The Forty-seventh General Assembly provided that such notice must be duly recorded by, or filed and deposited with, the recorder of deeds of the county where the vendee or lessee resides if he be a resident of this State at the time of the execution of the instrument. If he is not a resident, the notice is to be filed in the county where the property is situated at that time.¹²⁹

Section 3595 of the *Code of 1935* provides: "Insane persons and persons legally liable for their support shall remain liable for the support of such insane. The county auditor, subject to the direction of the board of supervisors, shall enforce the obligations herein created as to all sums advanced by the county." Section 3596 provides that in actions to enforce this claim a certificate from the superintendent of the hospital stating the sums charged shall be presumptively correct. The Forty-seventh General Assembly amended this section to provide that such certificates of charges for the care of the insane be sent to the county auditor for collection.¹³⁰

Chapter 277 of the Code provides for a domestic animal fund from which claims for the killing or injury of domestic animals by wolves or dogs shall be paid. Section 5457 of the Code provides that when the balance in this fund, after paying warrants for the above mentioned claims, exceeds five hundred dollars, the board of supervisors may order the excess transferred to the general fund of the county. The Forty-seventh General Assembly amended this law by adding the provision that the board of supervisors "may" use the excess or any part of it "in payment of the claim or claims of duly organized societies for the prevention of cruelty to animals within the county for the care,

¹²⁹ *Acts of the Forty-seventh General Assembly*, Ch. 223.

¹³⁰ *Acts of the Forty-seventh General Assembly*, Ch. 117.

keep and maintenance of abandoned or injured domestic animals or fowls.”¹³¹

Section 5413 of the *Code of 1935* provides that the board of supervisors “shall” allow and pay bounties for “wild animals” caught and killed within the county. Animals upon which bounty shall be paid include the wolf, lynx, wild cat, and pocket gopher. This law was amended by the Forty-seventh General Assembly to require the payment of a bounty of ten cents for each crow and a similar bounty of ten cents for each European starling. Section 5414 provides for optional bounties. This section was amended to remove the crow and European starling from the list.

In considering this law it should be noted that Section 5413 formerly referred to “wild animals” only. The amendment adds two wild birds to the list for which bounty shall be paid, but does not change the general provision of the law to include “wild birds”. It should be further noted that Section 5414 of the Code does not refer to the “European starling” although the amendment purports to strike these words from that section.¹³²

To relieve distress in drought areas, the Forty-seventh General Assembly passed a measure which authorized the board of supervisors in any county to establish an “Emergency Feed Loan Fund”, which shall be administered under the supervision of the county treasurer.

For the purpose of creating this fund the board is authorized to provide a sum not in excess of \$75,000 by the sale of anticipatory warrants. Such warrants shall be signed by the chairman of the board of supervisors and attested by the county auditor with the official seal of the county, and shall draw interest at the rate of not to exceed three per cent per annum.

¹³¹ *Acts of the Forty-seventh General Assembly*, Ch. 147.

¹³² *Acts of the Forty-seventh General Assembly*, Ch. 146.

Any person desiring to procure a feed loan from this fund shall make a written application setting forth his residence, the amount and kind of property owned by him, at the date of making application. The board shall inspect the application, make such investigation as it deems advisable and reject or approve the application as its judgment may dictate.

The law further provides that counties authorized to accept from the Federal government any money made available for feed purposes shall place such money in the fund herein created. Such money shall then be used for the purpose of retiring existing warrants or for making loans under this law.¹³³

A new measure passed by the Forty-seventh General Assembly authorizes the board of supervisors to acquire limestone quarries and sell lime to farmers for agricultural purposes.

This measure provides that when the board of supervisors is presented with a petition signed by fifty or more owners of farms within the county or by any number of owners of farms who request the sale of lime aggregating not less than 5000 tons, and when a quarry can be purchased that will produce lime more cheaply than it can be purchased outside the county, the board may purchase a quarry for the county to supply this demand.

The board shall also have authority to acquire such equipment as may be needed to operate the quarry. It may quarry, pulverize, and sell, or purchase and resell lime to farmers either for cash or upon a credit basis provided for in this act. If sales are made on a credit basis a lien is taken against the land and payment is made through special assessments.

In order to finance this project, the board is authorized to

¹³³ *Acts of the Forty-seventh General Assembly, Ch. 149.*

issue anticipatory warrants. These shall be signed by the chairman of the board of supervisors, attested by the county auditor, and shall bear interest at a rate not to exceed three and one-half per cent.

The price of agricultural lime to the farmer shall be fixed by the board of supervisors. But it shall not be less than the actual cost of production at the quarry, with ten per cent added for depreciation, together with the cost of transportation of the lime to the farm of the applicant.¹³⁴

CITIES AND TOWNS

Section 5694 of the *Code of 1924* provided that except in cases specifically excluded, the civil service law should apply to all appointive officers and employees in commission governed cities with a population of 100,000 or more. In all other cities it applied only to certain members of the police and fire departments. Thus the law affected appointments in Des Moines, but only in a very limited way did it apply to other cities of Iowa. This with slight changes remained the law until 1937.

The Forty-seventh General Assembly, however, repealed Section 5694 of the Code and enacted a substitute section. The new law is made to apply "in cities under any form of government having a population of more than fifteen thousand". This includes the sixteen municipalities in Iowa which are classified as cities of the first class. The law does not apply, however, to the appointment of city clerk, city solicitor, assessor, treasurer, auditor, civil engineer, health physician, chief of police, or market master. Neither does it apply to commissioners, election officials, laborers, nor to the secretary of the mayor or of any commissioner. In cities other than those of the first class, the law applies to members of the police and fire departments, except that

¹³⁴ *Acts of the Forty-seventh General Assembly*, Ch. 150.

it does not apply to chiefs of police, janitors, clerks, stenographers, secretaries, or casual employees.

Under the new law, the city council in cities having a population of less than 8000 may, by ordinance, adopt the provision of the civil service law. If such adoption is made the council may appoint a civil service commission, or it may provide by ordinance for the exercise of the duties of the commission by the council itself.

The chairman of the commission for each biennial period shall be the member whose term first expires. In cities having a population of more than 75,000 the commission shall appoint a clerk of the commission. In other cities the city clerk shall serve as clerk of the commission.

A major change in the law passed by the Forty-seventh General Assembly requires that "the chief of the police department shall be appointed from active members of the department who hold civil service seniority right as patrolmen and have had five years service in the department". This restriction does not apply to chiefs of police serving as such at the time of the passage of the law. The amended law also provides that the "chief of the fire department shall be appointed from the chief's civil service eligible list and shall hold full civil service rights as chief."

In cities under the commission plan of government the superintendent of public safety, with the approval of the city council, shall appoint chiefs of the police and fire departments. In cities under the city manager plan the manager shall make such appointments, and in all other cities such appointments shall be made by the mayor.

The law also provides for preferences because of seniority in service, also for demotion or suspension as well as for removal of an appointee from office because of neglect of duty, disobedience, misconduct, or incompetence.¹³⁵

¹³⁵ *Acts of the Forty-seventh General Assembly*, Ch. 156.

House File No. 258 was introduced in the Forty-seventh General Assembly on February 23, 1937, to amend Section 5694 of the Code. It provides that in cities of the first class under the manager plan, a chief of the fire department who has served continuously in that position for five years or more shall be deemed to be entitled to benefits under the civil service law. This measure was passed and approved on May 1, 1937. Meanwhile, on April 13th, Chapter 156 of the *Acts of the Forty-seventh General Assembly* had repealed Section 5694 and enacted a substitute for it. Thus it seems that House File No. 258 was not effective because it amended a section of the Code previously repealed.

This section as rewritten, however, seems to provide for the essential features asked in House File No. 258.¹³⁶

Senate File No. 172 was likewise introduced to amend Section 5694 of the Code. This measure would have added to the law the provision that "in cities acting under special charter with a population of fifty thousand (50,000) or more (Davenport), the provisions of this chapter (the chapter dealing with civil service) shall apply to the city electrician, electrical inspector and superintendent of the police and fire alarm systems." This law, like the one above mentioned, was passed after Section 5694 of the Code had been repealed and rewritten by Chapter 156 of the *Acts of the Forty-seventh General Assembly*.¹³⁷

Chapter 294 of the *Code of 1935* deals with river front improvement commissions. Section 5819 gives such commissioners authority to acquire title to the bed of "meandered" streams. The Forty-seventh General Assembly passed a measure that gives similar authority to acquire title to streams that are "not meandered".¹³⁸

¹³⁶ *Acts of the Forty-seventh General Assembly*, Ch. 157.

¹³⁷ *Acts of the Forty-seventh General Assembly*, Ch. 158.

¹³⁸ *Acts of the Forty-seventh General Assembly*, Ch. 160.

To give the city of Davenport complete jurisdiction of its river front for purposes of improvement and for the protection of property rights, the Forty-seventh General Assembly gave to the city title to the bed and banks of the Mississippi River and islands and filled or made lands within the following specified boundaries: (1) in the channel of the Mississippi, the boundary of the State of Iowa; (2) on and along the Iowa shore of the river, the line on shore which is the most distant line from the boundary to which the bed or banks of the river have at any time extended; and (3) and (4) at the upper and lower corporate limits of the city of Davenport, lines extending from the former city limits to the State boundary line.¹³⁹

Under the Iowa law, cities and towns are authorized to pay annual dues to the League of Iowa Municipalities. Section 5683 of the *Code of 1935* sets forth a graduated scale of dues to be paid by the various cities, depending upon the population of the municipality. This section of the law was repealed by the Forty-seventh General Assembly and a new law enacted setting forth a new and higher rate. The maximum amount of dues paid under the former law was \$60 per year — the amount authorized in all cities of more than fifty thousand population. Under the new law cities from fifty thousand to eighty thousand are authorized to pay \$90 annually, those from eighty to one hundred thousand, \$100, and all cities over one hundred thousand population, \$150.

Under the former law a city was authorized to send not more than two officials to the annual meeting of the League. Under the amended law from two to five officials may be sent, depending upon the population of the city.¹⁴⁰

Section 5835 of the *Code of 1935* provides that cities having a population of not over forty thousand and towns may

¹³⁹ *Acts of the Forty-seventh General Assembly*, Ch. 84.

¹⁴⁰ *Acts of the Forty-seventh General Assembly*, Ch. 155.

levy each year a tax of not to exceed one-half mill for the purpose of providing a fund for the maintenance of a municipal band. This law was amended by the Forty-seventh General Assembly to provide that when "a band incorporated not for profit" is so maintained or employed throughout the entire year and provides the youth of the community with instruction and training in band music, an additional tax of not to exceed one-half mill may be levied without further authorization by an election.¹⁴¹

Sub-section 8, Section 5858 of the *Code of 1935* provides that local boards of library trustees shall have exclusive control of the expenditures of all taxes levied for library purposes, and the expenditure of all moneys available by gift or otherwise for the erection of library buildings, and of all other moneys belonging to the library fund. This law was amended by the Forty-seventh General Assembly to include also all moneys from fines and rentals collected under the rules of the board.¹⁴²

Paragraph 19 of Section 6211 of the Code authorizes cities and towns to make a tax levy for library purposes. The Forty-seventh General Assembly added the provision that "any monies appropriated to the library fund and not expended during the fiscal year shall remain part of the library fund for the ensuing year, without re-appropriation, and will be available for expenditure by the board of trustees."¹⁴³

Paragraph 19, Section 6211 of the Code provides that when a free public library has been established, a tax not exceeding "one and one fourth mills" may be levied, which shall be used only for library maintenance. This law has now been amended to provide that such levy "may be not to

¹⁴¹ *Acts of the Forty-seventh General Assembly*, Ch. 161.

¹⁴² *Acts of the Forty-seventh General Assembly*, Ch. 162.

¹⁴³ *Acts of the Forty-seventh General Assembly*, Ch. 168.

exceed two and one-half ($2\frac{1}{2}$) mills in any city of more than ten thousand population and less than 75,000 population and having situated therein a state-owned educational institution with a regular attendance of more than three thousand students, and also a state commission regularly employing more than one hundred heads of families''. A similar provision authorizes a tax levy of "one and one half mills" in such cities for a library building fund.

This law although general in form was obviously written to apply only to the city of Ames.¹⁴⁴

The law relating to the government of cities under the commission plan was amended by the Forty-seventh General Assembly to provide additional library and art gallery facilities for Des Moines. The new law provides that in commission governed cities having a population of 125,000 or more, the council, with the concurrence of the park board, may "provide a site in any park or public grounds" for the location of buildings to be used "for a public library, public art gallery or art museum, or for a library, art gallery or art museum to be erected, owned and kept by individuals, associations or corporations for public use and not for private profit."¹⁴⁵

Chapter 300 of the *Code of 1935* sets forth the law with regard to municipal hospitals. Section 5869 deals with the election and duties of the treasurer. This section was repealed by the Forty-seventh General Assembly and a new section was enacted as a substitute. The new law provides that the city treasurer shall be the treasurer of the board of hospital trustees. As such he "shall receive and disburse all funds under the control of said board as ordered by it, but shall receive no additional compensation for his services." The treasurer shall give bond in the form and

¹⁴⁴ *Acts of the Forty-seventh General Assembly*, Ch. 171.

¹⁴⁵ *Acts of the Forty-seventh General Assembly*, Ch. 175.

amount required by the board. This shall be in addition to the bond required of him as city treasurer.¹⁴⁶

Paragraph 26, Section 6211 of the *Code of 1935* authorizes cities and towns to levy taxes for the purpose of "constructing hospitals or purchasing sites therefor and for the retirement of bonds issued in payment thereof". A slight amendment was made in this law. The present law authorizes a tax levy for the purpose of "purchasing sites for hospitals or sites with building or buildings thereon which may be acquired for hospital purposes and constructing or reconstructing buildings to be used for hospitals, and for the retirement of bonds issued in payment thereof." Other sections of the law were amended to conform with this change and to authorize the purchase of sites having buildings already constructed.¹⁴⁷

The Forty-third General Assembly in 1929 authorized certain cities to participate in the construction and maintenance of interstate bridges, and to issue revenue bonds for that purpose. This law as codified in Chapter 302-C1 of the *Code of 1935* was amended by the Forty-seventh General Assembly by adding a new section which provides for issuance of "refunding" revenue bonds.

This law stipulates that any city "which has heretofore or shall hereafter issue revenue bonds under the provisions of this act, is hereby authorized to provide for the issuance of revenue refunding bonds of the city for the purpose of refunding any such revenue bonds then outstanding." Moreover, it shall not be necessary to submit the proposition of issuing refunding bonds to a vote of the people. No such refunding bonds shall be issued, however, except to refund the bonds which have matured or will mature within three months, unless they be issued at a rate of interest at

¹⁴⁶ *Acts of the Forty-seventh General Assembly*, Ch. 163.

¹⁴⁷ *Acts of the Forty-seventh General Assembly*, Ch. 167.

least one-fourth of one per cent less than the rate of interest borne by the bonds to be refunded. Provision is also made for fixing a rate of toll at such bridges, sufficient in amount to pay the interest and principal of the refunding bonds as they become due, and to maintain, repair, and operate the bridge.

This law specifically provides that its provisions shall be applicable to cities operating under special charter.¹⁴⁸

Section 5904-c1 of the *Code of 1935* provides that cities and towns may grant franchises to operate and maintain street bus and motor transportation lines to carry passengers for hire on a plan similar to street railways. This section also provides that in cities in which street railways are in actual operation no franchise may be granted unless the proposition shall receive at an election an affirmative majority vote equal to at least 40 per cent of the total number of the electors of the city voting at the last preceding general election.

This latter provision was repealed by the Forty-seventh General Assembly and a new provision was enacted. The new law permits no such franchise to be granted, extended, or renewed unless "a majority of the legal electors voting thereon vote in favor of the same at a general, city or town, or special election called for that purpose". This law is made applicable to cities operating under special charter.¹⁴⁹

The Forty-fourth General Assembly in 1931 passed the so-called Simmer Law by which cities and towns were authorized to erect public utility plants and to pay for them out of the future earnings of the plant. The Forty-fifth General Assembly, Extra Session, added to this law a provision which authorized municipalities to issue negotiable,

¹⁴⁸ *Acts of the Forty-third General Assembly*, Ch. 195; *Acts of the Forty-seventh General Assembly*, Ch. 164.

¹⁴⁹ *Acts of the Forty-seventh General Assembly*, Ch. 165.

interest-bearing revenue bonds payable from and secured by the net earnings of the plant. The Forty-seventh General Assembly further amended this law by providing for the issuance of "refunding" bonds and the exchange of these for outstanding bonds.¹⁵⁰

Paragraph 10, Section 6211 of the *Code of 1935* provides that any town shall have power to levy a tax of one and three-fourths mills, to pay the amount due or to become due on a contract for electric light or power. The Forty-seventh General Assembly passed a law to provide that any incorporated town "having a population of at least six hundred, and not exceeding seven hundred and fifty" may, with the written consent of the Comptroller, "levy, for the years 1937 and 1938", or for either of these years, a tax of one mill in excess of the amount authorized in the Code. This law was general in form but was temporary in nature and was made to apply specifically to the town of Inwood. Had this levy been made without this authorization, as is sometimes done to meet an emergency, a legislative act would have been necessary to validate the levy.¹⁵¹

Special charter cities may grant individuals or private corporations authority to erect, maintain, or purchase waterworks, gasworks, electric light or power plants or street railway or telephone systems, for a term of not more than twenty-five years. In accordance with a recent amendment to this law, however, no such franchise shall be granted or authorized "unless a majority of the electors voting thereon shall vote in favor of same at a general or special election."¹⁵²

In order that cities might meet the emergencies of snow

¹⁵⁰ *Acts of the Forty-fourth General Assembly*, Ch. 158; *Acts of the Forty-fifth General Assembly, Extra Session*, Ch. 74; *Acts of the Forty-seventh General Assembly*, Ch. 166.

¹⁵¹ *Acts of the Forty-seventh General Assembly*, Ch. 169.

¹⁵² *Acts of the Forty-seventh General Assembly*, Ch. 180.

removal, the Forty-seventh General Assembly passed a measure which provides that in cities having a population of less than 125,000 a tax of not to exceed one-half mill may be levied exclusively for the removal of snow and ice from the streets.¹⁵³

Early in the legislative session a similar measure was passed to enable Sioux City to meet unusual demands on the budget because of the excessive snowfall. This law provided that cities with a population between 75,000 and 90,000, for the fiscal year from April 1, 1936, to March 31, 1937, might increase their budget \$40,000 "in addition to amounts otherwise permitted by law." Authority was also given to issue warrants in anticipation of the collection of this levy.¹⁵⁴

Firemen employed in the fire department of cities of the first class, including cities under special charter, shall not be required to remain on duty for periods of time which aggregate in each month more than an average of twelve hours per day, and no single period of time, or shift, shall exceed twenty-four hours in length, provided that in cases of serious emergencies such firemen may be required to remain on duty until such emergency has passed. Prior to 1937 this law was applicable only in cities having a population of 25,000 or more. The Forty-seventh General Assembly amended the law so as to make it applicable to all cities of the first class.¹⁵⁵

Section 6326-f9 of the *Code of 1935* provides that on or before the first day of July each year boards of fire trustees and boards of police trustees shall certify to the superintendent of public safety the amounts of money which will become due and payable during the next year to the pension

¹⁵³ *Acts of the Forty-seventh General Assembly*, Ch. 170.

¹⁵⁴ *Acts of the Forty-seventh General Assembly*, Ch. 83.

¹⁵⁵ *Acts of the Forty-seventh General Assembly*, Ch. 172.

accumulation fund and the expense fund. The amounts so certified shall be included by the superintendent of public safety in his annual budget estimate and shall be appropriated by the city and transferred to the retirement fund for the ensuing year.

To cover requirements prior to the date when the regular appropriation is due under the above law, such amounts as are necessary "shall be paid into the pension accumulation fund and expense fund by special appropriations to the retirement system". This law was amended by the Forty-seventh General Assembly to provide that such cities "shall annually levy a tax sufficient in amount to cover such appropriations".¹⁵⁶

Section 6578 of the *Code of 1935* which deals with parks and cemeteries in commission governed cities was amended by the Forty-seventh General Assembly so as to make the general law relative to parks and park commissioners applicable in such cities.¹⁵⁷

Chapter 293 of the *Code of 1935* which deals with the powers and duties of park commissioners was also amended by the Forty-seventh General Assembly by adding additional powers. The amended law provides that park boards shall "have authority to lease under reasonable rules and requirements a particular park or portion thereof, under their jurisdiction, for a period not in excess of ten days, to charitable, fraternal and patriotic organizations, for the purpose of permitting such organizations to conduct celebrations, anniversaries and entertainments."¹⁵⁸

Commission governed cities are authorized to levy an annual tax of not more than five-eighths of a mill on the dollar for the purpose of caring for and improving the parks or

¹⁵⁶ *Acts of the Forty-seventh General Assembly*, Ch. 173.

¹⁵⁷ *Acts of the Forty-seventh General Assembly*, Ch. 174.

¹⁵⁸ *Acts of the Forty-seventh General Assembly*, Ch. 159.

cemeteries or both parks and cemeteries owned by the city. In accordance with a recent amendment to this law the "collection of such tax or part thereof may be anticipated for a period not to exceed ten years". The law also provides that the provision of the Code relative to the anticipation of taxes in cities under the general law shall apply, so far as applicable, to cities under the commission form of government.¹⁵⁹

In commission governed cities the council may, by an affirmative vote of two-thirds of its members, lease for one year any city property that is not needed for immediate use. Prior to 1937 the law provided that in commission governed cities "under thirty thousand inhabitants" property that was not likely to be sooner needed might, by a two-thirds vote of the council, be leased for a period of "twenty" years for industrial purposes. The Forty-seventh General Assembly amended this law to make it applicable to all commission governed cities and all special charter cities and increased the authorized lease period from "twenty" to "twenty-five" years.¹⁶⁰

Section 6669 of the *Code of 1935* sets forth the duties of the city manager under the manager form of government. Sub-section 12 of that section provides that, with certain enumerated exceptions, he shall manage all municipal water plants, lighting, heating, or power plants, and transportation enterprises. The Forty-seventh General Assembly set forth an additional exception applicable to "cities where the voters have decided by ballot to place the management of the municipal water works in the hands of a board of trustees as provided in chapter three hundred twelve (312), Code, 1935."¹⁶¹

¹⁵⁹ *Acts of the Forty-seventh General Assembly*, Ch. 176.

¹⁶⁰ *Acts of the Forty-seventh General Assembly*, Ch. 177.

¹⁶¹ *Acts of the Forty-seventh General Assembly*, Ch. 178.

Chapter 308-A1 of the *Code of 1935* provides that when the boundary limits of cities or towns join, and such cities or towns are located upon or adjacent to a river or stream which furnishes drainage, such cities or towns are authorized to contract with each other for the joint use of municipal services. Chapter 308-D1 provided for the assessment and collection of sewer rentals. The Forty-seventh General Assembly amended the law relating to cities operating under special charters in such manner as to make these two chapters of general municipal law "applicable to special charter cities having a population of fifty thousand (50,000) or more".

This amendment affects only the city of Davenport since no other special charter city has a population in excess of 50,000.¹⁶²

In the interest of fire protection and fire prevention in cities and towns, the Forty-seventh General Assembly passed a measure to aid in the training of firemen. The law provides that any city or town which maintains a paid or volunteer fire department may pay the expenses of such number of firemen as it may desire to send to any meeting of firemen for the purpose of studying fire prevention and extinguishment. Such meetings may include attendance of firemen at the annual or regional fire schools conducted or sponsored by the Iowa State College of Agriculture and Mechanic Arts.¹⁶³

MISCELLANEOUS

The 1935 Code provision in regard to the unlawful wearing of military badges was repealed by the Forty-seventh General Assembly and a substitute measure was enacted. Without due authorization, no person shall wear the badge

¹⁶² *Acts of the Forty-seventh General Assembly*, Ch. 179.

¹⁶³ *Acts of the Forty-seventh General Assembly*, Ch. 182.

or insignia of the military order of the Loyal Legion of the United States, the Grand Army of the Republic, the United Spanish American War Veterans, the American Legion, the Veterans of Foreign Wars, the Disabled American Veterans of the World War, or any other organization or auxiliary thereof, composed of members or former members of the military or naval forces of the United States. Violation of this provision is a misdemeanor punishable by imprisonment not to exceed thirty days or by a fine not to exceed one hundred dollars.¹⁶⁴

Certain land in Lucas County had been purchased by John Batie in 1853, but no patent had ever been issued to Batie or to any other person, firm, or corporation. In order to remedy an obvious defect in the land title the Forty-seventh General Assembly directed the Governor and Secretary of State to issue a patent or conveyance to the land in question.¹⁶⁵

By virtue of a foreclosure proceedings the State of Iowa acquired certain lots in the town of Sidney in Fremont County, for the rights and benefit of the school fund of that county. In an attempted sale of this land by officers of Fremont County, objection was made by the purchasers and grantees to the legality of title. To clarify this matter and furnish a legal title, the Forty-seventh General Assembly passed a measure which directed the Governor to execute to purchasers and grantees thereof, a patent conveying to them the land in question.¹⁶⁶

LEGALIZING ACTS

Sections 8365 to 8368 of the *Code of 1935*, relating to corporations operating for pecuniary profits, provide that a

¹⁶⁴ *Acts of the Forty-seventh General Assembly*, Ch. 230.

¹⁶⁵ *Acts of the Forty-seventh General Assembly*, Ch. 86.

¹⁶⁶ *Acts of the Forty-seventh General Assembly*, Ch. 252.

corporate charter may be renewed within three months before or after the expiration of a previous charter. In order to obtain such renewal there must be a majority vote of the stockholders in favor of such renewal, certain stock must be purchased, a certificate of renewal must be filed with the Secretary of State, and fees must be paid in accordance with the law.

At the expiration of the corporate existence of Weber & Sons Button Company, Muscatine, renewal articles were not filed with the Secretary of State within the time limitation prescribed by the Code. Later all provisions of the law, except the provision relative to the time of filing, were complied with and application was made for a renewal of the charter. The Forty-seventh General Assembly passed an act to legalize the proceedings of the corporation and authorized the Secretary of State to issue a certificate of renewal "which shall have the same effect as though issued upon proper application by said corporation".¹⁶⁷

Similar acts were passed for the benefit of the Farmers' Mutual Fire and Lightning Insurance Association of Wineshiek County,¹⁶⁸ the Farmers Lumber Company of Rhodes,¹⁶⁹ the Greeley Mutual Fire Insurance Association of Exira,¹⁷⁰ the Dukes-Law Company of Centerville,¹⁷¹ and the Farmers' Mutual Fire and Lightning Insurance Association of Dallas Center.¹⁷²

In four instances legalizing acts were passed relative to the transfer of funds by boards of supervisors. In November, 1934, the board of supervisors of Monroe County tem-

¹⁶⁷ *Acts of the Forty-seventh General Assembly*, Ch. 269.

¹⁶⁸ *Acts of the Forty-seventh General Assembly*, Ch. 267.

¹⁶⁹ *Acts of the Forty-seventh General Assembly*, Ch. 273.

¹⁷⁰ *Acts of the Forty-seventh General Assembly*, Ch. 263.

¹⁷¹ *Acts of the Forty-seventh General Assembly*, Ch. 277.

¹⁷² *Acts of the Forty-seventh General Assembly*, Ch. 270.

porarily transferred \$10,000 from the county bond fund to the general county fund of that county. In November, 1935, they transferred \$6000 and in January, 1936, an additional \$2000 from the State insane fund to the county fund. Tax money not being available for the repayment of these amounts, and there being no apparent need in the funds from which they were transferred, a bill was passed by the Forty-seventh General Assembly to make these transfers permanent.¹⁷³ In Muscatine County, in 1936, a similar transfer of \$16,062.54 was made from the insane fund of the county to the poor relief fund. This was also legalized by an act of the Forty-seventh General Assembly.¹⁷⁴

In Boone County in 1934 the board of supervisors transferred \$13,002 from the county insane fund to the poor fund of the county, and in 1935 they transferred an additional sum of \$3,248.96 in the same manner.¹⁷⁵ In like manner, in 1935, the board of supervisors in Lucas County transferred \$10,000 from the State insane fund of Lucas County to the general fund of that county.¹⁷⁶ In each of these cases questions having arisen as to the legality of these transfers and the expenditure of the money, a legalizing act was passed to validate the transactions.

In 1936 the board of supervisors of Wapello County incurred debts aggregating some \$36,000 for items payable from the maintenance fund and the construction fund of the county, for the purpose of maintaining roads, bridges, culverts, the repair of machinery, and the carrying out of a local WPA project. At the time the indebtedness was incurred, funds were not available for payment. When monies were available, in 1937, the board of supervisors au-

¹⁷³ *Acts of the Forty-seventh General Assembly*, Ch. 236.

¹⁷⁴ *Acts of the Forty-seventh General Assembly*, Ch. 278.

¹⁷⁵ *Acts of the Forty-seventh General Assembly*, Ch. 257.

¹⁷⁶ *Acts of the Forty-seventh General Assembly*, Ch. 276.

thorized the county auditor and county treasurer to make payments for the indebtedness incurred in 1936. A question having arisen relative to the legality of such authorization, the Forty-seventh General Assembly passed an act legalizing the transactions and authorizing the county auditor and county treasurer to make payment from the funds collected in 1937.¹⁷⁷

In February, 1937, the board of supervisors of Jones County issued warrants against the general fund of that county in the sum of \$25,000, and provided for a tax levy to pay this sum with interest. The warrants were issued for the purpose of providing furniture, furnishings, and equipment for the new courthouse in Jones County. Doubts having arisen about the legality of the warrants, the proceedings for issuing them, and provisions for payment, an act was passed to legalize all proceedings and make the warrants legal and binding.¹⁷⁸

Legalizing acts were likewise enacted to correct irregularities in the following cases and to make the transactions legal and binding. In Appanoose County the board of supervisors in 1936 incurred an indebtedness of \$19,732.96 in the general fund for the payment of salaries and expenses. In 1937 these claims were refiled and allowed by the supervisors.¹⁷⁹ In 1929 and 1930 the board of supervisors of Taylor County authorized the payment of \$800 for extraordinary service of the county treasurer and the deputy county treasurer.¹⁸⁰ In Muscatine County a payment of \$252 to Charles Leu for services as clerk of the grand jury was authorized by the board of supervisors.¹⁸¹ In Novem-

¹⁷⁷ *Acts of the Forty-seventh General Assembly*, Ch. 242.

¹⁷⁸ *Acts of the Forty-seventh General Assembly*, Ch. 256.

¹⁷⁹ *Acts of the Forty-seventh General Assembly*, Ch. 243.

¹⁸⁰ *Acts of the Forty-seventh General Assembly*, Ch. 246.

¹⁸¹ *Acts of the Forty-seventh General Assembly*, Ch. 272.

ber, 1936, an election was held in Palo Alto County to authorize the issuance of primary road bonds in an amount not to exceed \$500,000. In pursuance of this election, the board of supervisors issued such bonds.¹⁸² In Story County the board of supervisors during the years 1934 and 1935 used moneys aggregating \$32,427.41 from the insane fund of that county for the maintenance of the county home.¹⁸³ In Webster County a similar situation prevailed during the years 1934, 1935, and 1936, involving a total expenditure of \$22,036.40 from the county insane fund.¹⁸⁴

Prior to May 4, 1932, the board of supervisors of Hancock County held title, for the use and benefit of the permanent school fund, to certain real estate in Hancock County. On that date the board executed and delivered to purchasers thereof what purported to be a warranty deed to this land. Improvements were made upon the property, but subsequently a question of the legal sufficiency of the transaction was raised. In order to quiet title to this land the Forty-seventh General Assembly passed an act to legalize the proceedings and authorized the Governor and Secretary of State to issue to the purchasers a patent to the land.¹⁸⁵

In February, 1936, the board of supervisors of Monroe County entered into a contract with Cyrus Hall for the purchase and removal of stone on the Hall farm to be used for the surfacing of secondary roads in Monroe County. The stone was shipped in accordance with the contract and an indebtedness of \$1,070.45 was thus incurred by the county. Mr. Hall, however, was a member of the board of supervisors at the time of the execution of the contract and a purchase from him was not in accordance with the law.

¹⁸² *Acts of the Forty-seventh General Assembly*, Ch. 264.

¹⁸³ *Acts of the Forty-seventh General Assembly*, Ch. 262.

¹⁸⁴ *Acts of the Forty-seventh General Assembly*, Ch. 259.

¹⁸⁵ *Acts of the Forty-seventh General Assembly*, Ch. 249.

The materials having been obtained and used by the county, the Forty-seventh General Assembly passed a measure authorizing the board of supervisors to pay for them.¹⁸⁶

During the calendar years of 1932 to 1936, inclusive, the proceedings of boards of supervisors and delinquent tax lists of the several counties of the State were published and payment was made for such publication by the boards of supervisors. Later there arose a question of the legality of the amounts paid, because of a misunderstanding on the part of newspaper publishers and boards of supervisors as to how charges for publication should be computed under the statute. To clarify this matter and remove doubts as to the validity of payment the Forty-seventh General Assembly passed a legalizing act in which the payments made were "declared to be legal and valid", notwithstanding that the publication charges "were computed on a basis not authorized by statute".¹⁸⁷

At least twelve measures were enacted by the Forty-seventh General Assembly to legalize acts of various city councils. During the months of January, February, and March of 1936 excessive snowfalls in Sioux City created an emergency and it was necessary for the city council to raise additional funds for the purpose of cleaning the streets. Accordingly the council authorized the issuance of warrants in an amount not to exceed one hundred thousand dollars to be used for that purpose. Pursuant to instructions the city auditor issued such warrants in the sum of \$62,684.20. A question of legality of the action of the council having arisen, a bill was passed by the Forty-seventh General Assembly legalizing the procedure and making legal and binding the warrants issued.¹⁸⁸

¹⁸⁶ *Acts of the Forty-seventh General Assembly*, Ch. 237.

¹⁸⁷ *Acts of the Forty-seventh General Assembly*, Ch. 268.

¹⁸⁸ *Acts of the Forty-seventh General Assembly*, Ch. 255.

Section 6223 of the *Code of 1935* provides that loans may be negotiated and warrants in a limited amount may be issued by a municipality in anticipation of its revenues. Because of the general unemployment situation and the excessive snowfall during the winters of 1935 and 1936 the city council of Humboldt incurred an indebtedness and issued warrants and certificates of indebtedness to the amount of \$4,936.45 in excess of appropriations and anticipated revenues. This was also somewhat in excess of the amount authorized by law. The citizens of Humboldt having received and enjoyed the benefits of these expenditures, the Forty-seventh General Assembly passed a measure to make the obligations legal and binding.¹⁸⁹

A similar situation arose in Dubuque where the city council issued warrants to the amount of \$20,119.37 to meet the unemployment emergency and to provide for the removal of snow. These obligations were likewise made legal and binding by the passage of a legalizing act.¹⁹⁰

To prevent the recurrence of issuing warrants in excess of the amount authorized by law, the Forty-seventh General Assembly passed a law authorizing an increased budget in certain cities for the year 1936-1937. This law provides that any city operating under the manager plan, having a population of 30,000 or more, may increase its budget for the fiscal year 1936 and 1937 by making a levy of \$30,000 in addition to that otherwise authorized by law. The law was so worded as to be general in form, but applies specifically to the city of Dubuque. It is to be noted, too, that this is not strictly a legalizing act, but an authorization to expend a sum which if spent without this authorization would require a legalizing act to make it binding.¹⁹¹

¹⁸⁹ *Acts of the Forty-seventh General Assembly*, Ch. 239.

¹⁹⁰ *Acts of the Forty-seventh General Assembly*, Ch. 244.

¹⁹¹ *Acts of the Forty-seventh General Assembly*, Ch. 183.

In 1935 and 1936 the city of Mount Pleasant, by action of its city council, with the aid of the Federal Works Progress Administration and by the use of local funds available to the city, erected a city hall and jail at a cost of \$48,000. In carrying forward this project the council did not, in every respect, comply with the statute which authorizes such building. The work having been completed and paid for, however, a measure was passed by the Forty-seventh General Assembly to legalize, confirm, and ratify the action of the council.¹⁹²

The city council of Cedar Rapids entered upon a program of purchasing a site, and building and equipping a jail and police station, and on March 4, 1937, by resolution the council authorized the issuance of bonds to the amount of \$80,000. Doubts having arisen concerning the validity and legal sufficiency of the proceedings and the provisions made for a tax levy to meet these obligations, a measure was passed to legalize the action taken.¹⁹³

In the city of Osceola a flood destroyed the dam which impounded water at the municipal reservoir, thus creating an emergency which jeopardized the health and safety of the community. To meet this situation the city council, by resolution on March 30, 1937, authorized the issuance and sale of public improvement bonds to the amount of \$15,500 and made provision for a tax levy to repay the same. These proceedings, although not authorized by the laws of Iowa, were approved and made legal by a measure passed by the Forty-seventh General Assembly.¹⁹⁴

In the town of Albert City a similar situation arose in connection with the municipally owned water plant. The water there became unsafe for human consumption and to

¹⁹² *Acts of the Forty-seventh General Assembly*, Ch. 260.

¹⁹³ *Acts of the Forty-seventh General Assembly*, Ch. 253.

¹⁹⁴ *Acts of the Forty-seventh General Assembly*, Ch. 258.

meet this emergency and provide for the needed repairs the town council authorized the borrowing of funds in a sum not to exceed \$10,000. To avoid legal complications and to render this indebtedness legal and binding, the Forty-seventh General Assembly passed an act legalizing the procedure, and the bonds issued in accordance therewith.¹⁹⁵

In Storm Lake it became necessary to make extensive repairs in the municipal water system. To pay for these repairs, bonds were issued and a maximum schedule of water rates was fixed by the city council to be in effect until the bonds were paid. This rate schedule was not sufficient to pay expenses and provision was made by ordinance of the city council for a higher rate. This action was legalized, but there was a provision that the council might reduce the rates if it deemed this advisable.¹⁹⁶

In Waukon the Pioneer Fire Company petitioned the city council for the use of the second story of the city hall to be used as a meeting place and clubroom. The room was furnished and equipped for that purpose at a cost of \$500, and warrants for that amount were issued by the city. A measure was passed by the Forty-seventh General Assembly which declared these warrants to be legal and valid.¹⁹⁷

The city of Dubuque, in response to public demand, authorized the establishment of a swimming pool as a WPA project. No bonds were issued and the only indebtedness incurred was a contribution made by the city to be used with Federal funds. No election was held, however, and a question of the legality of the proceedings was in question. A legalizing act was passed to make the action valid and binding.¹⁹⁸

¹⁹⁵ *Acts of the Forty-seventh General Assembly*, Ch. 248.

¹⁹⁶ *Acts of the Forty-seventh General Assembly*, Ch. 240.

¹⁹⁷ *Acts of the Forty-seventh General Assembly*, Ch. 266.

¹⁹⁸ *Acts of the Forty-seventh General Assembly*, Ch. 275.

The former town of Cedar Heights has been annexed to Cedar Falls and now constitutes the fifth ward of that city. Prior to the annexation the town of Cedar Heights had a bonded indebtedness of \$29,000. When the annexation was made the city council of Cedar Falls refunded \$25,000 of the indebtedness and provided for a general tax levy on the property of the fifth ward sufficient to pay the principal and interest in a period of ten years. The Forty-seventh General Assembly passed a measure to legalize and validate the procedure.¹⁹⁹

Two measures were passed by the Forty-seventh General Assembly to legalize elections to authorize municipal improvements. On November 16, 1936, the town of Manning held an election to authorize the expenditure of \$12,000 to build a swimming pool.²⁰⁰ On December 11, 1936, an election was held in Iowa City to authorize the expenditure of \$35,000 for erecting, purchasing, or remodeling a city hall, to be used for general community and municipal purposes.²⁰¹ Question of the legality of the proceedings having arisen in each of these cases, a law was passed to legalize the proceedings and the bond issue.

On August 20, 1935, pursuant to a petition duly presented and notice given, the voters of the consolidated Independent School District of Smithland voted for a bond issue and tax levy for schoolhouse improvement. In accordance with this vote, the board of directors issued bonds in the amount of \$9000 and provided for a tax levy to repay them. Doubts having arisen as to the legal sufficiency of the ballot and the proceedings by which this expenditure was approved, a measure was passed to legalize the action taken.²⁰²

¹⁹⁹ *Acts of the Forty-seventh General Assembly*, Ch. 241.

²⁰⁰ *Acts of the Forty-seventh General Assembly*, Ch. 265.

²⁰¹ *Acts of the Forty-seventh General Assembly*, Ch. 254.

²⁰² *Acts of the Forty-seventh General Assembly*, Ch. 250.

The board of directors of Concordia School District, on July 1, 1936, certified to the board of supervisors of Des Moines County, the sum of \$3000 for school purposes. Subsequently the board of supervisors levied a tax sufficient to raise substantially the sum requested. Because of a question concerning the legality of this procedure, a legalizing act was necessary.²⁰³

In the Beebeetown Consolidated School District, a school election was held on March 8, 1937, under the provisions of Chapter 225 of the *Code of 1935*, and in accordance with the results of that election, bonds to the extent of \$10,000 were issued for the purpose of improving and equipping the school building. In each of these cases doubts having arisen concerning the legal sufficiency of the proceedings, the Forty-seventh General Assembly passed a legalizing act to confirm and validate the action.²⁰⁴

On July 8, 1935, the electors of the Independent School District of Hartley authorized a bond issue of \$66,000 to be used, together with Federal funds, for the erection of a school building. The aggregate cost as stated on the ballot was not to exceed \$130,000. The building was later completed by the use of approximately \$66,000 from the bond issue, \$62,100 Federal funds, and \$7,500 derived from a transfer from the general school fund to the school building fund made with the approval of the State Comptroller — a total expenditure of \$145,026.14. This amount being in excess of that authorized by a vote of the people, the General Assembly passed a legalizing act to approve and validate the proceedings.²⁰⁵

Because of a fire which destroyed the building and equipment of the Elkader Independent School District, it was

²⁰³ *Acts of the Forty-seventh General Assembly*, Ch. 261.

²⁰⁴ *Acts of the Forty-seventh General Assembly*, Ch. 271.

²⁰⁵ *Acts of the Forty-seventh General Assembly*, Ch. 245.

necessary for the board of directors of that district to issue warrants for \$24,700 "in excess of the revenue anticipated" for the fiscal year ending June 30, 1937. The money having been spent to meet an emergency, the transaction was legalized and validated by the Forty-seventh General Assembly. The board was also authorized to issue new warrants to procure funds to pay the outstanding warrants. The new paper was to be issued "at the lowest interest rate at which such warrants can be sold, but not in excess of five percent per annum".²⁰⁶

Sections 11664 to 11668-c1 inclusive of the *Code of 1935* prescribe the manner in which execution sales shall be made. Sales having been made without strict compliance with this law, a legalizing act was passed by the Forty-seventh General Assembly to remedy the defects. The bill applies to all execution sales heretofore had "wherein the execution officer has failed to endorse on the execution the day and hour when received, the levy, sale or other act done by virtue thereof", also to all cases where the officer has failed to endorse a proper description of the property, or has failed to give proper notice. The legalizing act makes all of these cases to be "legal and valid in all particulars as if all the provisions of the law had been in all respects strictly and fully complied with" at the time of the acts or sales.²⁰⁷

In July, 1933, R. A. Hawk made application for appointment as a notary public and paid to an insurance company the legally required fee to be transmitted to the Governor of the State for the issuance of the notary commission. He also paid the fee for a notary bond. Three years later he discovered that the commission had not been issued nor the bond written. Meanwhile he had performed many notarial

²⁰⁶ *Acts of the Forty-seventh General Assembly*, Ch. 247.

²⁰⁷ *Acts of the Forty-seventh General Assembly*, Ch. 251.

acts. To prevent these acts from being declared invalid the Forty-seventh General Assembly passed a law which declared them to be "of the same force and effect as though they were had in full compliance with the laws of Iowa relating to notaries public". This law also directed the Governor to issue the commission for the period specified.²⁰⁸

JOINT RESOLUTIONS

During the session of the Forty-seventh General Assembly, twenty-two joint resolutions were introduced, sixteen originated in the House and six in the Senate. Only five of these measures were passed.

Section 19 of the *Code of 1935* provides that the compensation of officers and employees of the General Assembly shall be fixed by joint resolution at the opening of the session, or as soon thereafter as is convenient. Pursuant to this requirement Senate Joint Resolution No. 1 was introduced to fix the compensation schedule. This was passed and became effective by publication on February 4, 1937. After its passage certain corrections were necessary and Senate Joint Resolution No. 2 was passed to make the necessary changes in the original schedule. Thus two of the five joint resolutions passed deal with matters of legislative compensation.²⁰⁹

Another joint resolution passed by the Forty-seventh General Assembly directed and authorized the Greater Iowa Commission "to continue its efforts in behalf of a Greater Iowa". This resolution also directed the Executive Council "to request the co-operation of the appropriate governmental agencies in the further development of the program of the Commission".²¹⁰

²⁰⁸ *Acts of the Forty-seventh General Assembly*, Ch. 274.

²⁰⁹ *Acts of the Forty-seventh General Assembly*, Chs. 279, 282.

²¹⁰ *Acts of the Forty-seventh General Assembly*, Ch. 280.

House Joint Resolution No. 1 authorized the payment of chaplains at the rate of \$5 per day in each house. An appropriation of State funds sufficient to cover the payments was contained in the resolution. Provision was made, however, that no member or employee of the General Assembly should be entitled to compensation for services as chaplain.²¹¹

The fifth joint resolution which passed the General Assembly was one by which legislative assent was given to the Bankhead-Jones Act. This was a congressional act relating to coöperative agriculture. The purposes of the act and the money authorized by it were subject to legislative assent of the several States and Territories. This joint resolution was passed to give Iowa's assent to the Federal act.²¹²

VETOES

Three measures passed by the Forty-seventh General Assembly were vetoed by Governor Kraschel. The most important of these was the farm-to-market road bill. This bill was designed to coöperate with the Federal government in an extensive program of secondary road constructions. Governor Kraschel favored the program as a whole and objected only to the mechanics of the bill. The measure as drawn would have diverted funds from the primary road fund and did not provide a maintenance fund. The Governor thought the measure was "completely unworkable", and expressed the hope that another measure might be introduced and passed. The General Assembly, however, adjourned without the passage of such measure.²¹³

Senate File No. 49 was introduced to amend Section 1043

²¹¹ *Acts of the Forty-seventh General Assembly*, Ch. 281.

²¹² *Acts of the Forty-seventh General Assembly*, Ch. 283.

²¹³ Senate File No. 143 of the Forty-seventh General Assembly; *Journal of the Senate*, 1937, pp. 792-795; *The Des Moines Register*, March 25, 1937.

of the *Code of 1935* so as to make the county liable for costs in election contests over county offices if judgment were assessed against the incumbent or if the election were set aside. This measure was passed by the General Assembly but was vetoed by the Governor. In vetoing the bill Governor Kraschel approved the intent of the measure, but expressed the belief that such a law would be disadvantageous to the contestant, and that an incumbent might unnecessarily increase the expense of a contest if he were not liable for the costs.²¹⁴

The third bill vetoed by the Governor was one which provided for the publication of a list of all State employees and their salaries. The Governor thought that the cost of publishing such a list might well be avoided and vetoed the measure, calling attention to the fact that a complete record of all employees, titles, and the salaries paid is a matter of public record in the office of the State Comptroller.²¹⁵

JACOB A. SWISHER

JACK T. JOHNSON

THE STATE HISTORICAL SOCIETY OF IOWA
IOWA CITY IOWA

²¹⁴ Senate File No. 49 of the Forty-seventh General Assembly; *Journal of the Senate*, 1937, p. 543.

²¹⁵ House File No. 171 of the Forty-seventh General Assembly; *The Des Moines Register*, May 9, 1937.

SOME PUBLICATIONS

The Church Founders of the Northwest. By M. M. Hoffmann. Milwaukee: The Bruce Publishing Company. 1937. Pp. 387. Plates. Price \$3.00. This volume tells the story of a number of Roman Catholic pioneer priests in the Mississippi Valley. Among these are Bishop Mathias Loras, Bishop Joseph Cretin, and Father Samuel Charles Mazzuchelli. Many of these men were associated with the early history of Iowa. Mathias Loras was the first Bishop of Dubuque. The book also contains some material on Catholic missions among the Indians in Iowa and Minnesota.

The Winnebago-Horicon Basin: A Type Study in Western History. By Joseph Schafer. Madison: State Historical Society of Wisconsin. 1937. Plates, maps. This is the fifth in a series of volumes which has been appearing under the title *Wisconsin Domesday Book*. The purpose of the series is to approach human history by way of the intensive investigation of type areas. Three of the five books that have appeared, including the present volume, illustrate a fairly uniform mode of procedure. The first of the group was *Four Wisconsin Counties, Prairie and Forest*; the second *The Wisconsin Lead Region*, embracing three counties. The region treated by the present volume, while far removed from Iowa, contains chapters of particular interest to students of Iowa history. Chapter two gives a good account of the Indians occupying this area, with particular emphasis on the Winnebago who later migrated to Iowa. Chapter six deals with "The Fox-Wisconsin River Improvement" which formed the main highway for the early explorers and fur traders to Iowaland.

Among the articles in *Agricultural History* for July are the following: *The Historical Approach to the Economic Problems of Agriculture*, by H. C. Taylor; and *The Depression of 1873-79*, by O. V. Wells.

A Cache of Ohio Chert Disks, by Ralph N. Buckstaff; *Wisconsin Joins Ranks of Oldest Inhabited Areas in America*, by Alonzo W. Pond; and *Indian Mounds at Horicon and Vicinity*, by Wilton E. Erdman, are three articles in *The Wisconsin Archeologist* for July.

The June number of *The Wisconsin Magazine of History* contains the following articles: *The 'United Front' Populists*, by J. Martin Klotzsche; *Getting Down to Cases*, by J. V. Stevens; and *Reminiscences of Nine Decades*, by Burr W. Jones. *Sample Letters of Immigrants* and *High Society in Pioneer Wisconsin*, by Joseph Schaffer, are also included.

The Mississippi Valley Historical Review for September includes the following articles and documents: *The Services of the Frontier Merchant*, by Lewis E. Atherton; *The Origin and Character of the Pendleton Plan*, by Chester McA. Destler; *Patrons of Industry in Michigan*, by Sidney Glazer; *The Thirtieth Annual Meeting of the Mississippi Valley Historical Association*, by George F. Howe; and *The Genesis of the "Official Records"*, by Dallas D. Irvine.

The University of Minnesota's First Doctor of Philosophy, edited by Charles W. Elliott; *Captain Marryat at Old St. Peter's*, by John T. Flanagan; *When Logs and Lumber Ruled Stillwater*, by Agnes M. Larson; and *Veritas Caput: Itasca*, by William J. Petersen, are the four articles in the June number of *Minnesota History*. *The Numerals on the Kensington Rune Stone*, by John M. Armstrong, and *The Climax Fire Steel*, by Hjalmar R. Holand, are two shorter articles.

The National Geographic Magazine is running a series of articles on States. The July number describes Wisconsin, the August issue Kansas, and the September number Mississippi. The July issue also has an account of the presentation of the National Geographic Society's special gold medal to Dr. Thomas C. Poulter, second in command on the Byrd Antarctic Expedition of 1933-1935. Dr. Poulter was formerly a member of the faculty of Iowa Wesleyan College at Mount Pleasant, Iowa.

The University of Southern California has published as one of its research studies *The Legislation of the Civil War Period Con-*

sidered as a Basis of the Agricultural Revolution in the United States, by Arnold Tilden. It includes discussions of such topics as the Homestead Law, the public domain, transportation, governmental aids and stimuli to scientific agriculture and farm machinery, surplus and markets, economic consequences of legislation, and "The Great Delusion".

The July issue of the *Journal of the Illinois State Historical Society* contains the following articles: *A New Source of Information for Historians*, by James Monaghan; *Once-Glorious Galena*, by Esther E. Eby; *The Illinois Railroad and Its Successors*, by Josephine Boylan; and *The 130th Infantry, Illinois National Guard*, by Major Walter Shea Wood. There is also a discussion entitled *The Oldest Town in Illinois*, by Paul M. Angle, and *The Historical Records Survey in Illinois*, by Alston G. Field, State Director.

Those Paris Years, by Samuel N. Watson, is one of the books of reminiscences which provide quiet reading for pleasure. It also contains much history, covering a period from the writer's birth at Lyons, Iowa, on February 27, 1861, to France and the World War, and back to California. In addition to having been born in Iowa, Mr. Watson spent part of his boyhood at Burlington and was pastor of the Episcopal Church at Iowa City and Des Moines. He was pastor of the American Church of the Holy Trinity in Paris from 1913 to 1918, during the years of the World War.

Houghton Mifflin Company has recently published *Massachusetts: A Guide to its Places and People*, the first of the New England guidebooks to appear. The material for these State guidebooks was compiled by the Federal Writers' Project of the Works Progress Administration. The volume, of 675 pages, includes a series of articles or essays on the history, social development, transportation, industry, art, literature, and labor problems of Massachusetts, descriptions of cities and towns; tours over the State; an historical chronology; a bibliography; and an index.

IOWANA

The *Marion Sentinel* published a special historical edition on

August 26, 1937, featuring the first hundred years of the history of Linn County.

Physicians — Past and Present of Jasper County, Iowa, by M. R. Hammer, is an article of historical interest in the *Journal of the Iowa State Medical Society* for July and August.

The *Dyersville Commercial* issued a large centennial edition on August 12, 1937, commemorating the founding of Dyersville. Much local history is included in this edition.

The Iowa State Conservation Commission has issued an illustrated booklet containing a map and a description of the State parks in Iowa. Some interesting history is included.

Corporate-Owned Land in Iowa, 1937, by W. G. Murray and H. W. Bitting, is published as Bulletin No. 362 of the Agricultural Experiment Station of the Iowa State College of Agriculture.

A Century of Methodism, by C. W. Cochran, tells the story of the Crawfordsville Methodist Episcopal Church, one of the pioneer churches of Iowa. It includes a great deal of historical material concerning the community as well as the church.

The June issue of *Winners of the West* contains an article on *Cody's Old Home — and the Green Tree*, with a picture of the house as it stood on the original site at Parkhurst, now a part of Le Claire, Iowa. The house has been removed to Cody, Wyoming.

O. E. Klingaman, Curator, by Halla Rhode; *The Historical, Memorial and Art Department of Iowa*, by Ray C. Stiles; *Camp McClellan During the Civil War*, by Seth J. Temple; and *The Place-Names of Des Moines County, Iowa*, by T. J. Fitzpatrick, are the four articles in the *Annals of Iowa* for July.

Scotch Grove Pioneers is the story of the Scotch settlers who came to Jones County, Iowa, in the summer of 1837. The booklet, issued for the centennial celebration on August 14 and 15, 1937, includes *Early Scotch Pioneers*, by Josephine Sutherland; *The Scotch Grove Settlement*, by Esther Sinclair; and *The Auld Kirk*, by Mrs. Donald O. Sinclair.

Post-War Trends in Farmer Cooperation, by E. G. Nourse; *More Iowa Land to Corporate Ownership*, by W. G. Murray; *A Program for the Individual Farm*, by Carl Hamilton; *Iowa Farm Incomes Higher in 1936*, by L. G. Allbaugh; *Iowa's People on the Move*, by Ray E. Wakeley; and *Conservation of Our Human Resources*, by C. Arnold Anderson, are articles in the July issue of the *Iowa Farm Economist*.

SOME RECENT HISTORICAL ITEMS IN IOWA NEWSPAPERS

Indian battle at mouth of Otter Creek, in the *Independence Bulletin-Journal*, May 13, 1937.

Early history of Union County, in the *Lorimer Journal*, May 20, 1937.

Pioneer stories of Boone County, by C. L. Lucas, in the *Madrid Register-News*, May 20, 1937.

Sketch of the life of Sam Park, in the *Bedford Times Press*, May 20, 1937.

When Dubuque was Iowa's biggest city, in the *Davenport Democrat*, May 24, 1937.

The Boyer store at Bellefontaine, in the *Knoxville Express*, May 25, 1937.

Why not a Grinnell Museum, by Don G. Yeager, in the *Grinnell Herald-Register*, May 27, 1937.

Sketch of the life of M. D. Cooney, in the *Dubuque Tribune*, May 28, 1937.

Hopkinton claims to have observed first Memorial Day, in the *Sioux City Journal*, May 30, 1937.

Tablet in memory of first Methodist "class" in Iowa erected at Lovilia over graves of Dr. and Mrs. William Ross, in the *Albia News*, May 31, and the *Lovilia Press*, June 3, 1937.

Lack of money kept Herbert Hoover from entering Iowa Wesleyan College, in the *Mt. Pleasant News*, June 1, 1937.

HISTORICAL ACTIVITIES

Laon, France, Prairie du Chien, Wisconsin, and Ludington, Michigan, have recently celebrated the tercentenary anniversary of the birth of Father Jacques Marquette, who, born at Laon on June 1, 1637, was one of the two white men who first set foot on Iowa soil.

Minnesota reports that the inventory of the Federal archives in that State has been completed. The survey, the first to be completed, was directed by Jacob Hodnefield under the supervision of Dr. Theodore C. Blegen, Superintendent of the Minnesota Historical Society.

On July 17, 1937, the State of Illinois dedicated the restored Rutledge Tavern in the New Salem State Park. The site of New Salem, one of the ghost towns of Illinois, was purchased by William Randolph Hearst in 1906 and transferred to a Chautauqua Association. Later this was given to the State for a park.

The State Historical Society of Missouri held its thirty-first annual meeting at Columbia on April 24, 1937. Senator Allen McReynolds was elected president, Dr. Walter B. Stevens was made first vice president, and Judge George R. Ellison second vice president. Governor Lloyd C. Stark, Senator Allen McReynolds, and Dr. Otto Heller were speakers at the dinner.

The Society of American Archivists held its first annual meeting at Washington, D. C., on June 18 and 19, 1937. The program included a large number of papers and addresses, including the following: "The Control of Manuscripts and Manuscript Collections", by Thomas P. Martin; "The Scope and Functions of a State Archives Department", by Margaret C. Norton; and "Archival Progress in the Historical Records Survey", by Luther H. Evans.

The thirty-eighth annual meeting of the Illinois State Historical Society was held at Galesburg on May 13-15, 1937. The meeting

was part of the observance of the centennial anniversary of Galesburg and Knox College. Among the papers was "The Mississippi as an Artistic Subject", by L. W. Elder. Dr. James A. James was reëlected president of the Society; Theodore C. Pease, Evarts Boutell Greene, John H. Hauberg, George W. Smith, Frank E. Stevens, and Frank O. Lowden were elected vice presidents; and Paul M. Angle was elected secretary.

The Minnesota Historical Society sponsored its fifteenth annual historical convention and tour on June 18-22, 1937. The first day's trip was to Little Falls and Detroit Lakes. The second day was spent at Roseau which was celebrating the fiftieth anniversary of white settlement in the county. June 20th (Sunday) was devoted to a boat trip on the Lake of the Woods. The following day took the tour to Bemidji and on June 22nd the party returned home. Speakers and their topics included the following: Arthur H. Gilmore read extracts of a diary kept by Daniel Hunt on the Red River to St. Paul trail; Harold Lathrop spoke on the relation of State parks to local history; Grace Lee Nute gave a paper on "Fur Traders and Border Posts"; and Edward A. Hummel discussed the National Parks Service. Dr. William J. Petersen's discovery of material on the origin of the name Itasca was announced at Bemidji.

IOWA

The Marshall County Historical Society installed a custodian in the memorial log cabin on Saturday, July 3, 1937, to receive donations of relics. A modern piano was presented to the Society by Charles Lynch.

A "pioneer pow-wow", held at Eddyville on August 2 and 3, 1937, was the occasion for the dedication of a monument to Wishecomaque or Hard Fish, the leader of a band of Sac and Fox Indians who lived on the site of Eddyville one hundred years ago. Governor Nelson G. Kraschel spoke at the dedication on Monday.

On July 31, 1937, Guttenberg celebrated its centennial anniversary and at the same time dedicated Dam No. 10, one of the units in the Upper Mississippi nine-foot channel project. The address at

the dedication was given by Halleck W. Seaman, a director of the Mississippi Valley Association and of the Upper Mississippi Waterway Association.

The annual meeting of the Wyoming Historical Society was held at that place on August 20, 1937. The meeting was devoted to descriptions of the town between 1870 and 1889. Frances Franks was chosen president for the ensuing year; Mrs. S. G. Hutton, Don Wherry, and Pauline Shaffer, vice presidents; Mrs. L. M. Koch, secretary; and Emma Alden, treasurer.

Scotch Grove celebrated its centennial anniversary on August 14 and 15, 1937. On Saturday morning Dr. J. A. Swisher was one of the speakers at the dedication of the marker on the H. H. Carson farm commemorating the turning of the first sod in Scotch Grove Township. The program for the afternoon included an address by Professor Holbrook of Ames. Sunday was devoted largely to the church and its history.

On July 28, 1937, the Washington Chapter of the Iowa Daughters of the American Revolution dedicated a marker for the old military road at Crawfordsville. The marker, set in a large boulder in front of the high school building, contains the following inscription: "This Highway is the Old Military Road from Dubuque to the Northern Boundary of Missouri Authorized by Congress 1839 Marked by the Iowa Daughters of the American Revolution 1937".

During the week of June 13-20, 1937, the Methodist Episcopal Church at Crawfordsville held its centennial celebration. Features of the program were: an address by Reverend Harry D. Henry; an historical pageant, "One Hundred Years Ago", directed by Alberta Cochran; old songs and hymns, directed by Reverend O. J. Fix; a homecoming day, with an address by Reverend J. W. Potter; a film, "The King of Kings"; and services on the last Sunday at the site of the old Moorhead cabin where the church was organized, with addresses by Judge R. G. Popham and State Representative Harlan Foster.

The Cedar County Fair Association sponsored an historical pageant entitled *The Melting Pot*, given at the Cedar County Fair

at Tipton on August 11-12, 1937. The pageant, compiled by Mrs. Winifred Miller and directed by Lorna Bates, represented ten incidents in American history, the last one being the settlement of Iowa and Cedar County. The pioneer period was represented in episodes showing the various nationalities — Scotch, Germans, Irish, and Bohemians. The Alexander Moffit family, represented in the Irish group, came to Cedar County in 1840.

THE STATE HISTORICAL SOCIETY OF IOWA

Dr. William J. Petersen, Research Associate of the State Historical Society of Iowa, lectured at the American School of Wild Life Protection at McGregor on August 7, 1937. His subject was "Old Times on the Upper Mississippi".

On August 14, 1937, Dr. Jacob A. Swisher, Research Associate of the State Historical Society, delivered an address on "The Trail of the Pioneer" at the centennial celebration at Scotch Grove, Jones County. He presented the illustrated lecture, "Iowa Historic Sites", before the State meeting of county superintendents at Des Moines on July 28th, the Teachers' Institute of Benton County at Vinton, on August 28th, and the Teachers' Institute of Warren County at Indianola on September 20th.

The following persons have recently been elected to membership in the Society: Mr. Ethan P. Allen, Iowa City, Iowa; Mr. Byron A. Barlow, Cedar Rapids, Iowa; Mr. Harry D. Berg, Iowa City, Iowa; Mr. I. G. Carll, Des Moines, Iowa; Dr. L. F. Clifford, De Witt, Iowa; Mr. Elmer E. Cooper, Corning, Iowa; Mr. Earl T. Crane, Des Moines, Iowa; Dr. Frank B. Ebersole, Davenport, Iowa; Mr. Geo. A. Elliott, New London, Iowa; Mrs. Minnie S. Elliott, Marion, Iowa; Mr. P. S. Fawkes, Dubuque, Iowa; Mr. John L. Gillespie, Des Moines, Iowa; Mr. Henry N. Graven, Mason City, Iowa; Mr. Edwin B. Green, Iowa City, Iowa; Mr. W. Keith Hamill, Newton, Iowa; Mr. Louis F. Hauer, College Station, Texas; Mrs. L. C. Hemsworth, Waterloo, Iowa; Miss Lois Hillman, Hazleton, Iowa; Mr. James W. Hook, New Haven, Conn.; Mr. W. D. Houlette, Des Moines, Iowa; Mr. W. E. S. Hutcheon, Jefferson, Iowa; Miss Alice Iversen, Prescott, Iowa; Mr. Albert A. Jagnow, Dubuque, Iowa; Mr. James J.

Jennings, Harlan, Iowa; Mr. J. H. Kelly, Oskaloosa, Iowa; Mr. A. M. Kenyon, Fort Dodge, Iowa; Mr. F. B. Kruse, Vinton, Iowa; Rev. W. E. Lawler, Fort Madison, Iowa; Mr. O. M. Lindquist, Des Moines, Iowa; Mr. D. R. Lynch, West Union, Iowa; Mr. L. R. McKee, Muscatine, Iowa; Mrs. A. J. H. McNeill, Monticello, Iowa; Mrs. T. A. Michels, Washington, Iowa; Mr. F. R. Moore, Ottumwa, Iowa; Miss Kate Moore, Marshalltown, Iowa; Mr. Glenn C. Olney, Iowa City, Iowa; Mrs. Frank Payne, Centerville, Iowa; Mr. Walter F. Peterson, Jr., Red Oak, Iowa; Mrs. R. P. Plimpton, Denison, Iowa; Mr. C. J. Posey, Jr., Iowa City, Iowa; Mr. Oval Quist, Des Moines, Iowa; Mr. Melvin Roetman, Hospers, Iowa; Mrs. Sadie Seagrave, Oakdale, Iowa; Mrs. E. G. Senty, Davenport, Iowa; Mrs. Virginia Silver, Toledo, Iowa; Mr. Sam G. Smith, St. Louis, Missouri; Mr. Louis P. Tobin, Vinton, Iowa; Mr. Thomas E. Tweito, Iowa City, Iowa; Mr. Geo. C. Van Nostrand, Fairfield, Iowa; Mr. Forest L. Whan, Iowa City, Iowa; Mr. Albert Wharton, Dubuque, Iowa; Mr. C. M. Bartrug, Iowa Falls, Iowa; Mr. Don L. Berry, Indianola, Iowa; Mr. F. E. Bissell, Dubuque, Iowa; Mr. Wilfred Black, Iowa City, Iowa; Dr. W. F. Boiler, Iowa City, Iowa; Mr. H. W. Brant, Oelwein, Iowa; Mr. G. R. Davies, Iowa City, Iowa; Mr. Kenneth Fuller, Dubuque, Iowa; Mrs. W. W. Gingles, Castana, Iowa; Mrs. Robert M. Hedges, Iowa City, Iowa; Mrs. H. O. Hyatt, La Moille, Iowa; Mr. W. J. Jackson, Iowa City, Iowa; Mr. Benjamin C. Hilliard, Denver, Colorado; Miss Tacie M. Knease, Iowa City, Iowa; Miss Jeannette Kyle, Washington, Iowa; Mr. W. Ross Livingston, Iowa City, Iowa; Mr. John P. Minier, Jr., Dupon, Illinois; Mr. Peter Mousolite, Iowa City, Iowa; Mrs. Bertrice S. Nichols, West Liberty, Iowa; Mr. F. W. Page, Dubuque, Iowa; Mr. Richard H. Plock, Burlington, Iowa; Miss Edythe C. Riecke, Iowa City, Iowa; Miss Madeline Rogers, Eagleville, Missouri; Mrs. Hazel S. Schaus, Des Moines, Iowa; Mr. Robert G. Snyder, Iowa City, Iowa; Mr. Edwin E. Voigt, Iowa City, Iowa; Miss Helen Wilson, Washington, Iowa; Dr. H. H. Brierly, Waverly, Iowa; Mr. Harry S. Bunker, Iowa City, Iowa; Miss Lillie Cilley, Iowa City, Iowa; Mrs. Chas. F. Cook, Los Angeles, Calif.; Mr. J. D. Hartzler, Heston, Kansas; Mr. W. K. Henigbaum, Davenport, Iowa; Mr. J. M. Hutchinson, Davenport, Iowa; Miss Luella E. Jones, Tabor, Iowa;

Mr. Ralph E. Kittinger, Des Moines, Iowa; Mr. John A. Limback, Cedar Rapids, Iowa; Mr. Rudolph Schroeder, Buffalo, Iowa; Mr. Frank N. Stacey, Chicago, Illinois; Miss Blanche Swindell, Masonville, Iowa; Mr. R. J. Thompson, Des Moines, Iowa; Mr. C. R. Waterman, Des Moines, Iowa; Miss Pauline Welch, Afton, Iowa; and Capt. Donald T. Wright, St. Louis, Missouri.

The following persons have recently been enrolled as life members of the Society: Mr. W. B. Coltman, Independence, Iowa; Mr. Clarence Dunn, Van Meter, Iowa; Mr. Gordon L. Elliott, Des Moines, Iowa; Mr. Thomas Farrell, Iowa City, Iowa; Mr. F. C. Gilchrist, Laurens, Iowa; Mr. R. R. Roberts, Britt, Iowa; Mr. Allan F. Saunders, Claremont, Calif.; Mr. T. C. Whitmore, Atlantic, Iowa; Mr. Charles W. Chapman, Waterloo, Iowa; Capt. J. Frank Johnson, Fort Des Moines, Iowa; Mrs. C. H. Morse, Eagle Grove, Iowa; Mr. C. L. Robbins, Iowa City, Iowa; Mr. Jacob Van Ek, Boulder, Colorado; Mr. Cyrenus Cole, Washington, D. C.; and Mrs. Margaret Moffit Platner, Evanston, Illinois.

NOTES AND COMMENT

The old settlers of Warren County held their annual picnic at Summerset on August 10. Dr. Benjamin F. Schwartz gave the chief address. The officers of the association are: Judge Henderson, president; Frank Laverty, vice-president; John Barker, secretary; and J. W. Lundy, treasurer.

The old settlers of Dickinson County held their annual reunion at Gull Lake State Park on August 25, 1937. A talk on social features of the county prior to 1900, by Mrs. V. R. Tritle, and an address by A. B. Funk were features of the program. Officers elected for 1938 are: H. A. Welty, president; O. Reno, vice-president; and E. E. Heldridge, secretary.

In August, 1937, Mr. and Mrs. Henry J. Hromek presented to Grinnell College a painting of a Grinnell campus scene, the work of Mrs. Mildred Pelzer of Iowa City. The gift was a memorial to their son, H. Marvin Hromek, at one time a member of The State Historical Society of Iowa, who graduated from Grinnell College in 1932, and died on January 3, 1934.

The old settlers of Hardin County held their annual picnic at Elerding Grove on August 15, 1937. Honorable Dean Peisen and Attorney General John H. Mitchell gave addresses and A. P. Mason recalled pioneer days. All officers were reelected as follows: Grant Taylor, president; W. H. Rowen, vice-president; and Ruth Elerding, secretary-treasurer. The first meeting of the old settlers was held in 1875.

The annual session of Wild Life School was held at McGregor on August 2-13, 1937. The school, under the direction of R. D. Noble, offered the following instructors: President D. W. Morehouse, of Drake University; Dr. A. C. Trowbridge and Dr. Bruce E. Mahan, of the State University of Iowa; Dr. I. E. Melhus, Dr. John Martin, and Dr. W. Sass, of the State College of Agriculture; and Dr. Harry C. Oberholser, of the United States Biological Survey.

The fifty-first reunion of the old settlers of Madison and Warren counties was held at St. Charles on August 19, 1937. E. A. Elliott of Des Moines gave an address on "Life". Fred Runkle gave a history of Union Chapel. The following officers were chosen for 1938: president, Robert Clarke; vice-president for Madison County, Frank Crawford; vice-president for Warren County, Royal W. Lee; secretary, H. A. Mueller; and treasurer, C. C. Williams.

On April 20, 1937, the Bar Association of the Fifth Judicial District of Iowa, including Adair, Dallas, Guthrie, Madison, Marion, and Warren counties, gave a dinner in honor of H. K. Ashton who had served as Court Reporter in that district for fifty years. Harry Wifvat was toastmaster and addresses were given by Judge Norman R. Hays, Judge E. W. Dingwell, Hon. Sam D. Woods, Judge W. S. Cooper, and Mr. Ashton.

The thirty-fifth anniversary of the services of Harvey Ingham as editor of the *Des Moines Register* was the occasion for a dinner held at Des Moines on July 1, 1937. More than six hundred guests were present. The speakers included John Studebaker, United States Commissioner of Education, Frank O. Lowden, former Governor of Illinois, W. W. Waymack, editor of the *Register*, and Mr. Ingham. A message of congratulations from the Board of Curators of The State Historical Society of Iowa was read at the dinner. Mr. Ingham is a life member of the Society.

CONTRIBUTORS

JACOB ARMSTRONG SWISHER, Research Associate in The State Historical Society of Iowa. (See THE IOWA JOURNAL OF HISTORY AND POLITICS, July, 1931, p. 458, October, 1932, p. 592, July, 1934, p. 287, January, 1936, p. 112, and January, 1937, p. 112.)

JACK THOMAS JOHNSON, graduate assistant in Political Science, State University of Iowa. Born at Burlington, Iowa, on July 16, 1915. Attended the Burlington public school and the Burlington Junior College. Received the B. A. degree from the State University of Iowa in 1935 and the M. A. degree in 1936. Member of The State Historical Society of Iowa.

A N I N D E X
TO THE
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